

Report No.: J027-RP
Rev. No.: 0
Work Assignment No.: 019-2JZZ
Contract No.: 68-WP-0051
March 25, 1992

SLE
3/31/92

Ms. Sandy Foose
U. S. Environmental Protection Agency
Region 2
Edison, New Jersey 08837

Re: Letter Report for Daniel Products Co. Site, EPA I.D. No. NJD001340686.

Dear Ms. Foose:

After review of the available information for the Environmental Priorities Initiative Preliminary Assessment for the Daniel Products Co. Site (Daniel Products), a recommendation of **NO FURTHER REMEDIAL ACTION PLANNED (NFRAP)** is proposed. Daniel Products is located at 400 Claremont Avenue in Jersey City, Hudson County, New Jersey. Since 1957, Daniel Products has been manufacturing pigments and dispersions for the ink, print, and related coating industries. Xylene and n-butanol are among the materials handled at the facility. This PA is authorized under work assignment number 019-2JZZ, NOMAD No. J027. The recommendation is based on the following findings:

- On August 15, 1980, Daniel Products notified the U.S. Environmental Protection Agency (U.S. EPA) that it conducts activities at the facility involving hazardous waste (Ref. No. 1).
- On November 17, 1980, Daniel Products filed a RCRA Part A Application as required for a hazardous waste treatment, storage, and disposal facility (TSDF) (Ref. No. 4).
- On April 2, 1985, Daniel Products received a Complaint, Compliance Order, and Notice Of Opportunity For Hearing from the U.S. EPA for submittal of insufficient information required in the facility closure plan/cost estimate. Approximately 2 weeks later, Daniel Products resubmitted a closure plan/cost estimate to the U.S. EPA (Ref. Nos. 1, 2).
- On the morning of March 5, 1987, approximately 20 to 30 gallons of xylene spilled onto a cement area of the facility's yard due to overfilling of an underground tank. The New Jersey Department of Environmental Protection (NJDEP) Division of Emergency Response was notified on March 6, 1987. The Hudson Regional Health Commission recommended that actions be taken against the facility for discharging a hazardous material and for not promptly notifying the NJDEP of the spill (Ref. No. 3).
- After an evaluation of its operating history (e.g., storage of wastes for less than 90 days before disposal off site), Daniel Products informed the NJDEP on May 5, 1987, of its request for withdrawal of its Part A Application and to become a "generator only" facility. Daniel Products submitted a copy of its closure plan for the facility's indoor



hazardous waste storage area to the NJDEP. The NJDEP required a revised closure plan, including the addition of decontamination procedures and verification thereof to the plan. On July 22, 1988, Daniel Products submitted an engineer-certified report regarding closure of its hazardous waste unit (Ref. Nos. 4-6, 8).

- On August 5, 1988, the NJDEP conducted a RCRA Treatment, Storage, and Disposal (TSD) inspection at the Daniel Products facility. Hazardous wastes reported to be generated by the manufacturing processes included baghouse dusts and spent carbon filters from the facility's air pollution control equipment, waste cellosolve from the mixing vat cleaning process, and residues of the in-ground oil and sludge separators. Baghouse dusts and oil and sludge separator residues were reported to be disposed of as D008, or lead, wastes. D007, or chromium, wastes were also listed in association with the baghouse dusts. Spent carbon filters from the air pollution control equipment were reported as being sent to be regenerated and were classified as F003, or spent nonhalogenated solvent, waste. The facility was observed to be in compliance with RCRA TSDF regulations (Ref. No. 7).
- On September 26, 1988, the NJDEP informed Daniel Products of its delisting from TSD status to "Generator Only" status (Ref. No. 8).
- On May 23, 1990, the NJDEP conducted a RCRA Generator/Land Ban inspection of Daniel Products. The Inspection Summary mentions the presence throughout the plant of additional air filters to collect dust; these spent filters are also reported to be disposed of as D007 and D008 wastes. D002, or corrosive, wastes, not mentioned in the August 1988 inspection report, were also listed as a waste type generated by the facility. It was determined that overall, the facility's relevant paperwork and container management were in compliance with state regulations. Daniel Products, however, did receive a Notice of Violation for an incorrect generator listing on one manifest for the removal of waste oil. Upon review of the case, the violation was changed to "offering hazardous waste for disposal without a manifest". On October 2, 1990, a Civil Administrative Penalty was issued to Daniel Products for this violation (Ref. Nos. 9-12).
- In September 1991, the facility instituted work under the New Jersey Department of Environmental Protection and Energy (NJDEPE, formerly the NJDEP) Environmental Cleanup Responsibility Act (ECRA) program in anticipation of a buyout. The NJDEPE issued a sampling plan approval on January 14, 1992. Results of the sampling event are anticipated in mid-April 1992 (Ref. Nos. 13, 14).

In conclusion, Daniel Products filed a RCRA Part A Application to achieve interim status and was later delisted to "Generator Only" status. The site is currently being investigated under the NJDEPE's ECRA program. These findings substantiate the recommendation of NFRAP.

Ms. Sandy Foose
U.S. Environmental Protection Agency
March 25, 1992 - Page 3

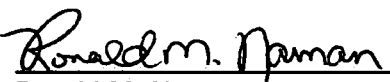
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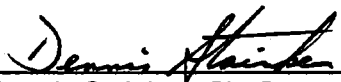
Attached are the references to support the recommendation. If you have any questions, please do not hesitate to call.

Very truly yours,


Kathy A. Campbell
SITE MANAGER


Gary M. Rojek
PROJECT MANAGER


Ronald M. Naman
SUBCONTRACT OFFICE MANAGER


Dennis Stainken, Ph. D.
WORK ASSIGNMENT MANAGER

**This Report was conducted
under the following
USEPA Documentation Procedure**

**Guidance for Performing Preliminary
Assessments Under CERCLA
Publication 9345.0-01A**

ATTACHMENT 1

REFERENCES

1. U.S. EPA Complaint, Compliance Order, And Notice of Opportunity for Hearing, Daniel Products Company, EPA ID No. NJD001340686, April 2, 1985.
2. Letter from Klaus Meinssen, Vice President, Daniel Products Company, to Kathleen Chojnowski, Legal Assistant, Waste & Toxic Substances Branch, U.S. EPA, April 17, 1985.
3. Hudson Regional Health Commission Emergency Response Report for Daniel Products, Jersey City, New Jersey, March 6, 1987.
4. Letter from Klaus Meinssen, Vice President, Daniel Products Company, to Ernest Kuhlwein, Chief, Bureau of Hazardous Waste Engineering, NJDEP, May 5, 1987.
5. Letter from Ernest J. Kuhlwein, Jr., Acting Chief, Bureau of Hazardous Waste Engineering, NJDEP, to Klaus Meinssen, Vice President, Daniel Products Company, August 10, 1987.
6. Letter from Klaus Meinssen, Vice President, Daniel Products Company, to Ernest J. Kuhlwein, Jr., Chief, Bureau of Hazardous Waste Engineering, NJDEP, July 22, 1988; with attachment.
7. NJDEP, RCRA Treatment, Storage, and Disposal Facility Inspection for Daniel Products Co., August 5, 1988.
8. Letter from Ernest J. Kuhlwein, Jr., Chief, Bureau of Hazardous Waste Engineering, NJDEP, to Klaus Meinssen, Vice President, Daniel Products Company, September 26, 1988.
9. NJDEP, RCRA Generator Inspection Report and RCRA Land Disposal Restriction Generator Checklist for Daniel Products, May 23, 1990.
10. Letter from Joseph Viso, Group Leader, Technical Services, Daniel Products Company, to Jamie McBlane, Bureau of Field Operations, Division of Hazardous Waste Management, NJDEP, May 31, 1990.
11. Letter from Jamie A. MacBlane, Environmental Specialist, Division of Hazardous Waste Management, NJDEP, to Joe Viso, Group Leader Technical Services, Daniel Products, June 4, 1990.
12. Letter from Wayne C. Howitz, Assistant Director, Hazardous Waste Enforcement, NJDEP, to Joseph Viso, Daniel Products Company, October 2, 1990.
13. Telecon Note: Conversation between Dennis Kelemen, Plant Manager, Daniel Products Company, and K. Campbell, HALLIBURTON NUS Environmental Corporation, March 10, 1992.
14. Telecon Note: Conversation between Bill Patterson, NJDEPE, ECRA Case Manager, and K. Campbell, HALLIBURTON NUS Environmental Corporation, March 17, 1992.

REFERENCE NO. 1

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION II

-----X
In the Matter of : COMPLAINT, COMPLIANCE ORDER,
: AND NOTICE OF OPPORTUNITY
DANIEL PRODUCTS COMPANY : FOR HEARING
JERSEY CITY, NEW JERSEY 07304 :
NJD001340686 :
Respondent. : Docket No. II RCRA-85-0105
Proceeding Under Section 3008 :
of the Resource Conservation and :
Recovery Act :
-----X

COMPLAINT

This administrative proceeding is instituted pursuant to Section 3008 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act ("RCRA"), 42 U.S.C. §6901 et seq.

Section 3006(b) of RCRA, 42 U.S.C. §6926(b), provides that the Administrator of the U.S. Environmental Protection Agency ("EPA") may, if certain criteria are met, authorize a State to operate a hazardous waste program in lieu of the federal program. The Administrator authorized the State of New Jersey to operate a program in lieu of the federal program on February 2, 1983. Section 3008 of RCRA, 42 U.S.C. §6928, authorizes EPA to enforce the provisions of the authorized State program.

The Director of the Air and Waste Management Division of the EPA, Region II, Complainant in this proceeding, has determined that Respondent, DANIEL PRODUCTS COMPANY has violated the New Jersey Solid Waste Management Act, N.J.S.A. 13:1E et seq., and the regulations promulgated thereunder, as hereinafter specified:

1. Respondent owns and operates a facility located at:

400 Claremont Avenue
Jersey City, New Jersey 07304

2. By notification dated August 15, 1980, Respondent informed EPA that it conducts activities at the facility involving "hazardous waste," as that term is defined in Section 1004(5) of RCRA, 42 U.S.C. §6903(5) and in 40 CFR §261.3. By application dated November 19, 1980, Respondent requested a permit to conduct its hazardous waste activities.

3. N.J.A.C. Title 7, Chapter 26, sets standards for hazardous waste treatment, storage and disposal facilities.

4. N.J.A.C. 7:26-9.8 requires the owner or operator of a hazardous waste treatment, storage or disposal facility to prepare and maintain at the facility a copy of a plan to close the facility in a manner that minimizes or eliminates the post-closure escape of hazardous waste or waste constituents. This section also sets forth elements that must be included in a closure plan.

5. N.J.A.C. 7:26-9.10 requires that the owner or operator of a hazardous waste facility have a written estimate of the costs of closing the facility. This section also sets forth elements that must be included in the cost estimate.

6. Section 3007 of RCRA, 42 U.S.C. §6927, allows EPA to request certain information from parties that handle hazardous waste. On or about February 7, 1985, EPA requested DANIEL PRODUCTS COMPANY to submit a copy of the closure plan and cost estimate for review.

7. On or about February 14, 1985, DANIEL PRODUCTS COMPANY submitted a copy of the closure plan/cost estimate to EPA. EPA's review of the closure plan/cost estimate established that Respondent did not provide sufficient information to meet the requirements of N.J.A.C. 7:26-9.8 and 9.10 respectively. The outstanding deficiencies and/or omissions are attached hereto (See Exhibit A). Therefore, Respondent is in violation of N.J.A.C. 7:26-9.8 and 7:26-9.10.

PROPOSED CIVIL PENALTY

In view of the above-cited violations, and pursuant to the authority of Section 3008 of RCRA, Complainant herewith proposes the assessment of a civil penalty in the amount of six thousand two hundred fifty dollars (\$6,250.00) against DANIEL PRODUCTS COMPANY the violations specified hereinabove as follows:

- for the violation of N.J.A.C. 7:26-9.8	\$ 6,000.00
- for the violation of N.J.A.C. 7:26-9.10	250.00
	<hr/>
	\$ 6,250.00

COMPLIANCE ORDER

Based upon the foregoing, and pursuant to the authority of Section 3008 of RCRA, Complainant herewith issues the following Compliance Order against Respondent herein:

Respondent shall, within thirty (30) days of the effective date of this Compliance Order, submit a closure plan sufficient to meet the requirements of N.J.A.C. 7:26-9.8; and a cost estimate sufficient to meet the requirements of N.J.A.C. 7:26-9.10.

NOTICE OF LIABILITY FOR ADDITIONAL CIVIL PENALTIES

Pursuant to the terms of Section 3008(a)(3) of RCRA, a violator failing to take corrective action within the time specified in a Final Compliance Order is

liable for a civil penalty of up to \$25,000 for each day of continued non-compliance. Such continued noncompliance may also result in suspension or revocation of any permits issued to the violator pursuant to the authority of RCRA.

NOTICE OF OPPORTUNITY TO REQUEST A HEARING

As provided in Section 3008(b) of RCRA, and in accordance with EPA's Consolidated Rules of Practices Governing the Administrative Assessment of Civil Penalties and the Revocation or Suspension of Permits, 40 CFR Part 22, 45 Fed. Reg. 24363 (April 9, 1980) (a copy of which accompanies this Complaint, Compliance Order, and Notice of Opportunity for Hearing), you have the right to request a hearing to contest any material fact set out in the Complaint, or to contest the appropriateness of the proposed penalty, or the terms of the Compliance Order. (Consistent with the provisions of Section 3008(b) of RCRA, the hearing provided will be noticed and open to the general public, should you specifically request such a public hearing. In the absence of such a specific request, however, public notice of a scheduled hearing will not be published.)

To avoid being found in default, and having the proposed civil penalty assessed and the Compliance Order confirmed without further proceedings, you must file a written answer to the Complaint, which may include a request for a hearing. Your answer (if any) must be addressed to the Regional Hearing Clerk, U.S. Environmental Protection Agency, Region II, 26 Federal Plaza, New York, New York 10278, and must be filed within thirty (30) days of your receipt of this Complaint, Compliance Order, and Notice of Opportunity for Hearing. Your answer must clearly and directly admit, deny or explain each of the factual allegations contained in the Complaint, and should contain (1) a clear statement of the facts which constitute the grounds of your defense, and (2) a concise statement of the contentions which you intend to place in issue at the hearing.

The denial of any material fact, or the raising of any affirmative defense, will be construed as a request for a hearing. Failure to deny any of the factual allegations in the Complaint will be deemed to constitute an admission of the undenied allegations. Your failure to file a written answer within thirty (30) days of receipt of this instrument will be deemed to represent your admission of all facts alleged in the Complaint, and a waiver of your right to a formal hearing to contest any of the facts alleged by the Complainant. Your default will result in the final issuance of the Compliance Order, and assessment of the proposed civil penalty, without further proceedings.

INFORMAL SETTLEMENT CONFERENCE

Whether or not you request a hearing, the EPA encourages settlement of this proceeding consistent with the provisions of RCRA. At an informal conference with a representative of the Complainant you may comment on the charges and provide whatever additional information you feel is relevant to the disposition of this matter, including any actions you have taken to correct the violation, and any other special circumstances you care to raise. The Complainant has the authority to modify the amount of the proposed

penalty, where appropriate, to reflect any settlement agreement reached with you in such conference, or to recommend that any or all of the charges be dismissed, if the circumstances so warrant. Your request for an informal conference and other questions that you may have regarding this Complaint, Compliance Order, and Notice of Opportunity for Hearing should be directed to Kathleen Chojnowski, Legal Assistant, Waste and Toxic Substances Branch, U.S. Environmental Protection Agency, Region II, 26 Federal Plaza, New York, New York 10278, telephone (212) 264-5342.

Please note that a request for an informal settlement conference does not extend the thirty (30) day period during which a written answer and request for a hearing must be submitted. The informal conference procedure may be pursued as an alternative to or simultaneously with the adjudicatory hearing procedure. However, no penalty reduction will be made simply because such a conference is held. Any settlement which may be reached as a result of such conference will be embodied in a written Consent Agreement and Final Compliance Order to be issued by the Regional Administrator of EPA, Region II, and signed by you or your representative. Your signing of such Consent Agreement would constitute a waiver of your right to request a hearing on any matter stipulated to therein.

RESOLUTION OF THIS PROCEEDING WITHOUT HEARING OR CONFERENCE

Instead of filing an answer requesting a hearing or requesting an informal settlement conference, you may choose to comply with the terms of the Compliance Order, and to pay the proposed penalty. In that case, payment should be made by sending to the Regional Hearing Clerk, EPA, Region II, a cashier's or certified check in the amount of the penalty specified in the "Proposed Civil Penalty" section of this instrument. Your check must be made payable to the Treasurer of the United States of America.

DATED:

COMPLAINANT:

Original Signed by
Conrad Simon

CONRAD SIMON
Director
Air and Waste Management Division
Environmental Protection Agency
Region II

TO: Mr. Klaus Meinssen
Vice President, Administration
Daniel Products Company
400 Claremont Avenue
Jersey City, New Jersey 07304

cc: Gerard Burke
Office of Regulatory Services
New Jersey Department of Environmental Protection

bcc: Thomas Solecki, (2AWM-SW)
Ton Moy, (2AWM-SW)
Richard Baker, (2OPM-PA)
Kathleen Chojnowski, (2ORC-WTS)
Stan Siegel, (2AWM-SW)

EXHIBIT A

DANIEL PRODUCTS COMPANY
EPA I.D. NO. NJD001340686

The following deficiencies and/or omissions have been noted in Daniel Products Company's closure plan and closure cost estimate dated February 14, 1985.

FACILITY CONDITION

- / Facility description and operation
- / Activities that result in the generation of hazardous waste
- Description of hazardous waste storage area including size and supporting structure
- / Type of waste(s) generated at facility
- Milestone chart for final closure including, dates for final generation of waste, completion of inventory removal, final decontamination of the facility and completion of closure
- Estimate of the year of closure
- Professional engineer certification of closure

REMOVING ALL INVENTORY/WASTE

- Quantity of decontamination wastewater
- Distance to off-site TSDF
- Estimate of amount of contaminated soil

DECONTAMINATING THE FACILITY

- Area of the facility with potential soil contamination or justification for assuming no soil contamination exists (i.e., drum storage area, loading and unloading area, etc.)
- Methods and procedures for removing and disposing of contaminated soil, if applicable
- Soil sample test location, depths, analysis to be conducted and rationale for selection of those parameters
- List all equipment requiring decontamination

- Procedures for decontamination of grounds/equipment and rationale for assuring decontamination
- Method for disposing of residue from decontamination

COST ESTIMATE

Substantiate cost estimate (i.e.):

- Disposal of hazardous waste, including removing and transporting
- Disposal of decontamination wastewater
- Soil sampling and analysis, if applicable
- Professional engineer certification
- Cost of auxiliary equipment, if required
- Cost of contractor, if required
- Administrative cost

CERTIFICATE OF SERVICE

This is to certify that on the *2* day of *April* 1985, I served a true and correct copy of the foregoing Complaint by certified mail to Mr. Klaus Meinssen, 400 Claremont Avenue, Jersey City, New Jersey 07304. I hand-carried the original foregoing Complaint to the Regional Hearing Clerk.

Deborah M. Senechal

REFERENCE NO. 2

DISPERSIONS & SPECIALTY ADDITIVES

DANIEL PRODUCTS COMPANY



Division of SYNRES CHEMICAL CORP.

400 Claremont Avenue, Jersey City, New Jersey 07304

APR 17 1985
Chojnowski
RICH CO. 1985

April 17, 1985

Ms. Kathleen Chojnowski,
Legal Assistant
Waste & Toxic Substances Branch
U. S. Environmental Protection Agency
Region 11, 26 Federal Plaza
New York, New York 10278

RE: Docket No: II RCRA-85-0105
EPA ID. NO. NJD001340686

Dear Madam:

We wish to acknowledge receipt of your Complaint, Compliance Order and Notice of Opportunity for Hearing dated 29 March 1985, which informs us that Daniel Products Company is in violation of N.J.A.C. 7:26-9.8 and 7:26-9.10. You gave as reason that Daniel Products Company did not provide sufficient information to meet the requirements of N.J.A.C. 7:26-9.8 and 7:26-9.10.

This letter is to inform you that in order to comply with your "Compliance Order", Daniel Products Company herewith resubmits a Closure Plan, which we believe will meet the requirements of N.J.A.C. 7:27-9.8. This resubmitted plan took into account the deficiencies outlined in your Exhibit A. Daniel Products Company also resubmits a Cost Estimate, attached as well, which we believe will meet the requirements of N.J.A.C. 7:26-9.10.

In response to your Complaint for non-compliance, Daniel Products Company wishes to state that its submission, February 14, 1985, of information to meet N.J.A.C. 7:26-9.8 and 7:26-9.10 was done in the belief that it would fully meet the requirements. Daniel Products Company believed that its Closure/Post Closure Plan dated June 3, 1982, and submitted at that time to your office, attention of Mr. Andrew L. Prasadrak, was still meeting the requirement of N.J.A.C. 7:26-9.8 inasmuch as its submitted information had not been questioned by the EPA.

Daniel Products Company wishes to emphasize, that it is only a generator of hazardous waste, which necessitates storing, but is not perse a disposer of hazardous waste. Instead its generated waste is removed at intervals for final disposal at EPA certified disposal sites.

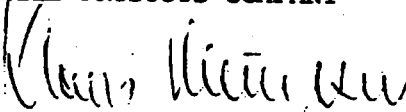
Ms. Kathleen Chojnowski
April 17, 1985
Page 2

We attempted to contact you during this week to request an informal settlement conference and to set up a date at which we can meet with you. When we learned of your absence from your Mr. Bruce Adler, and because of the time limitation at hand, we decided instead to submit this letter and enclosed documents and, at the same time, request an informal settlement conference date for sometime after May 15, 1985, after I have returned from a two week vacation. I will, therefore, be contacting you on May 15 to set up a date and time which is convenient to you.

Daniel Products Company herewith likes to request that the EPA consider rescinding the proposed assessed penalties for the violation of N.J.A.C. 7:26-9.8 and 7:26-9.10. Our submission, February 14, 1985, of information to meet N.J.A.C. 7:26-9.9 and 7:26-9.10 was done in good faith and in the belief that it fulfilled the requirements. No attempt was made at withholding or providing insufficient information.

Sincerely yours,

DANIEL PRODUCTS COMPANY



KLAUS MEINSEN
Vice President, Administration

KM/ml1
Encls.
Certified Mail
Return, Receipt, Requested

cc: Regional Hearing Clerk
Air & Waste Management Division
Environmental Protection Agency
Region II, 26 Federal Plaza
New York, New York 10278

Mr. Gerard Burke
Office of Regulatory Services
N.J. Dept. of Environmental Protection

DISPERSIONS & SPECIALTY ADJUTIVES

DANIEL PRODUCTS COMPANY



Division of SYNRES CHEMICAL CORP.

400 Claremont Avenue, Jersey City, New Jersey 07304

April 17, 1985

U. S. Environmental Protection Agency
Air & Waste Management Division
Region II, 26 Federal Plaza
New York, New York 10278

RE: EPA NO. NJD001340686
Amendment to Closure Plan to meet
N.J.A.C. 7:26-9.8

Dear Sir:

Daniel Products Company operates a specialty chemicals compounding and manufacturing plant. As such, it produces colorants and additives for the paint, ink and related industries. The manufacturing of products consists of compounding of existing, readily available chemicals such as solvents, water, resins, pigments, wax powders, wetting agents, etc., by a variety of methods, usually blending in open vessels using mixers and grinding in pebble mills, or similar grinding equipment. Batch sizes range from 100 to 600 gallons. Liquid raw materials are generally added by pumping from storage tanks, solid materials are added by hand dumping. Finished materials are filled into steel pails or drums.

All products are manufactured by a batch process. At the end of a process, the equipment is usually washed and wash materials stored for future reuse. Following an equipment washing, a final rinse is taken, usually with solvents, some of which are hazardous (flammable) or water. These rinses are used over and over again for the same or different types of equipment, until they become too contaminated and are then no longer effective. At this point, rinses are combined, if necessary decanted, analyzed, filled into steel drums, declared as hazardous waste and stored.

In addition to wastes generated from equipment rinses, other minor amounts of waste are generated. A summary of all wastes generated are as follows:

- a) Rinses from production equipment (D001), as described above, amounting to approximately 1 x 55 gallon drum per week.
- b) Pigment dust from a pollution control equipment (D008), amounting to approximately 1 x 55 gallon drum every three months.

- c) Periodic cleaning of in-ground oil and sludge separators to remove floor washing debris (D008), amounting to 2 x 55 gallon drum every three months.
- d) Disposal of a spent industrial detergent solution used for automatic cleaning of portable tanks (D001), amounting to 1 x 55 gallon drum per month.

All liquid wastes are stored in DOT approved 55 gallon steel drums. They consist of hazardous or non-hazardous, flammable, combustible or aqueous solvents and contain contaminants such as pigments and resins. Semi-liquid wastes (pastes) are solidified first before being filled and stored in DOT approved 55 gallon steel drums. Generated waste is properly labeled and marked, then stored and kept under supervision in an enclosed, fully sprinklerized finished goods warehouse, which is used for storing of finished materials. Waste drums are stored four drums per pallet, pallets are in turn, stored on heavy steel racks, four tiers high with sprinklers between tiers. Vapor detectors throughout will sound an alarm in case of leakage or spillage of hazardous liquids. Once a sufficient number of drums of hazardous waste have accumulated, usually 30, an EPA certified waste hauler is called in and the accumulated hazardous waste drums are shipped to EPA licensed disposal sites, using appropriate manifests and other documents. Daniel Products Company, itself, does not dispose of hazardous waste.

Daniel Products Company has been a manufacturer of chemical specialties since 1957, has been profitable since then and expects to continue to grow and remain profitable for the near and intermediate future. No facility closure is therefore anticipated. Nevertheless, should - - because of unforeseen reason - - Daniel Products Company cease to be a manufacturer, final removal of hazardous wastes will be done in the same manner as is currently practiced, meaning, that drums containing such wastes will be shipped to an EPA licensed disposal site by means of an EPA licensed waste hauler.

We estimate that the maximum inventory of waste, in storage at any given time, will not exceed 30 x 55 gallon drums. Aside from this, no other hazardous waste is currently being or is expected to be stored at the Daniel Products Company facility. Further, this facility has not received and is not expected to receive, hazardous waste from sources other than its own manufacturing operations. In the event that a facility closure must take place, it is estimated that it will take no longer than two months from the date of closure to remove all 55 gallon drums of hazardous waste from the Daniel Products Company's facility.

Daniel Products Company does not generate nor store hazardous contaminated waste water or other hazardous waste, except as described above. Further, to the best of its knowledge, Daniel Products Company does not have on its premises any contaminated soil, inasmuch, as its entire facility including its yards are covered by either concrete or asphalt. Accidental spillage can, therefore, be easily and readily contained, absorbed and disposed of.

In the event that Daniel Products Company's method of generating, handling, storing, supervising or disposing of its generated waste will change, a Closure Plan Amendment will be submitted.

BY:

Klaus Meinssen
KLAUS MEINSEN, Vice President
DANIEL PRODUCTS COMPANY

KM/ml1

DISPERSIONS & SPECIALTY . JITIVES

DANIEL PRODUCTS COMPANY



Division of SYNRES CHEMICAL CORP.

400 Claremont Avenue, Jersey City, New Jersey 07304

April 18, 1985

U. S. Environmental Protection Agency
Air & Waste Management Division
Region II, 26 Federal Plaza
New York, New York 10278

RE: EPA No. NJD001340686
Amendment to Estimate of Cost of
Closing a Facility
N.J.A.C. 7:26-9.10

Dear Sir:

Daniel Products Company herewith resubmits an Estimate of the Costs of Closing its facility, should such closure become necessary. Details of the facility's operation are described in the closure plan per N.J.A.C. 7:26-9.8, resubmitted this date.

Daniel Products Company generates approximately 6 x 55 gallon steel drums per month of hazardous liquid and solid waste, which it stores indoors, on steel racks, under controlled conditions until a sufficient number, usually 30, have accumulated to warrant pick-up by an EPA certified hauler for final disposal at EPA approved disposal sites.

The cost for such disposal, at 1984 rates, averaged \$50.00 per 55 gallon drum. The total cost for the removal of this waste, in case of this facility's closure, should therefore not exceed \$1,500.00. Copies of 1984 invoices, which would verify this estimate, are attached.

Since there are no other wastes or contaminants at this facility, as explained in the closure plan, no other removal costs will be incurred.

No auxiliary equipment, other than that already on the premises, is needed to facilitate a closure. No equipment costs will therefore be incurred.

The only contractor involved in a closure would be that of the waste hauler, whose cost is included in the drum removal unit price. The cost for a professional engineer certification, should one be needed, and administrative costs - combined - are estimated at \$1,500.00.

BY:


KLAUS MEINSEN, Vice President
DANIEL PRODUCTS COMPANY

KM/ml1, Encls.

8434

NET 30 DAYS

NEWARK

SHIPPED VIA
ASHLANDP.O.
DESTINATION

DATE SHIPPED

04-25-84

INVOICE DATE

04-25-84

GAR. NO.

SALESMAN

012

ID NO.

OUR ORDER NO.

32313

229

ORIGINAL INVOICE

THIS SALE IS SUBJECT TO
THE "TERMS AND CONDITIONS"
SHOWN ON THE REVERSE
SIDE HEREOFPLEASE REFER
TO THIS NUMBER
ON ALL
CORRESPONDENCEBILLING UNITS: P=POUNDS W=CWT
G=GALLONS L=TONS
K=KILOGRAMS E=EACH

INVOICE NUMBER

050 661294

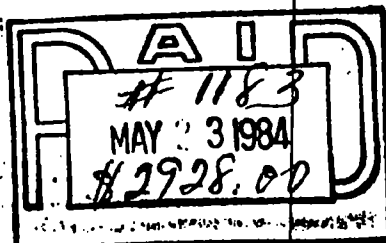
CUSTOMER NUMBER

50 040 238600

32313

PLEASE RETURN
REMITTANCE ADVICE
WITH YOUR PAYMENTPAYMENTS NOT MADE WITHIN THE TERMS AND CONDITIONS
INDICATED ARE SUBJECT TO DELINQUENCY CHARGE BY
SELLER.CONSIGNEE
SAMEDANIEL PRODUCTS
400 CLAREMONT AVE
JERSEY CITY

NJ 07304

REMIT
TO:ASHLAND CHEMICAL COMPANY
P.O. BOX 93263
CHICAGO, ILLINOIS 60673SPENT WASTE SOLVENT
SAMPLE NUMBER:
40-ASH-229ENVIRONMENTAL
OK 5/14/84
OK TO PAY
OK 5/14/84RECEIVED
APR 30 1984

PER

2,928.00

CUSTOMER ORDER NUMBER

NONE

TERMS

NET 30 DAYS

SHIPPED FROM

NEWARK

SHIPPED VIA

ASHLAND

DESTINATION

DATE SHIPPED

05-24-84

INVOICE DATE

05-24-84

CAR NO.

SALESMAN

012

TO NO.

OUR ORDER NO.

33139

229

ORIGINAL INVOICE

THIS SALE IS SUBJECT TO
THE "TERMS AND CONDITIONS"
SHOWN ON THE REVERSE
SIDE HEREOF

PLEASE REFER
TO THIS NUMBER
ON ALL
CORRESPONDENCE



DESCRIPTION

WASTE SOLVENT

WASTE SOLVENT

40-ASH-229

40-ASH-226

QUANTITY ORDERED

CONT.

TEMP.

NET QUANTITY

55.00

2.00

UNIT PRICE

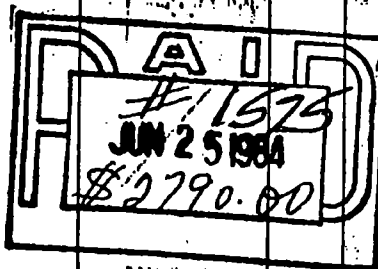
43.00000

75.00000

AMOUNT

2,640.00

150.00



RECEIVED

JUN - 1 1984

PER

BILLING UNITS: P= POUNDS H= CWT
G= GALLONS T= TONS
K= KILOGRAMS E= EACH

2,790.00

INVOICE NUMBER

050 715444

CUSTOMER NUMBER

50

040

238600

33139

PLEASE RETURN

REMITTANCE ADVICE
WITH YOUR PAYMENT

PAYMENTS NOT MADE WITHIN THE TERMS AND COND
INDICATED ARE SUBJECT TO DELINQUENCY CHAP
SELLER.

CONSIGNEE

SAME

DANIEL PRODUCTS
400 CLAREMONT AVE
JERSEY CITY

NJ 07304

REMIT
TO:

ASHLAND CHEMICAL COMPAN
P.O. BOX 93263
CHICAGO, ILLINOIS 606

CUSTOMER ORDER NUMBER

9412

TERMS

NET 30 DAYS

SHIPPED FROM

NEWARK

SHIPPED VIA

ASHLAND

F.O.B.

DESTINATION

DATE SHIPPED

09-20-84

INVOICE DATE

09-21-84

CAR NO.

SALESMAN

041

ID NO.

OUR ORDER NO.

35941

229

ORIGINAL INVOICE

THIS SALE IS SUBJECT TO
THE "TERMS AND CONDITIONS"
SHOWN ON THE REVERSE
SIDE HEREOF

PLEASE REFER
TO THIS NUMBER
ON ALL
CORRESPONDENCE



WASTE SOLVENT
WASTE SOLVENT
SAMPLE NO.
SAMPLE NO.
40-ASH-0226
40-ASH-0224

DESCRIPTION

QUANTITY ORDERED

CONT.

TEMP.

NET QUANTITY

UNIT PRICE

AMOUNT

13.00
31.0075.00000
48.00000975.00
1,463.00

PAID
#3011
OCT 22 1984
\$2463.00

ENVIRONMENTAL

OK TO PAY
10/1/84

SEP 27 1984

BILLING UNITS: P=POUNDS M=CWT
G=GALLONS L=TONS
S=SECTORS E=EACH

2,463.00

INVOICE NUMBER

050 927000

CUSTOMER NUMBER

50

040

238600

35941

PLEASE RETURN
REMITTANCE ADVICE
WITH YOUR PAYMENT

PAYMENTS NOT MADE WITHIN THE TERMS AND CONDITIONS
INDICATED ARE SUBJECT TO LATE PAYMENT CHARGE BY SELLER.

CONSIGNEE
SAME

DANIEL PRODUCTS
400 CLAREMONT AVE
JERSEY CITY

NJ 07304

REMIT
TO:

ASHLAND CHEMICAL COMPANY
PO BOX 93263
CHICAGO, IL 60673

IMPORTANT

CUSTOMER ORDER NUMBER

3257

F.O.B.

TERMS

NET 30 DAYS

SHIPPED FROM

NEWARK

SHIPPED VIA

ASHLAND

DESTINATION

DATE SHIPPED

07-06-84

INVOICE DATE

07-08-84

CAR NO.

SALESMAN

012

ID NO.

OUR ORDER NO

34113

229

ORIGINAL INVOICE

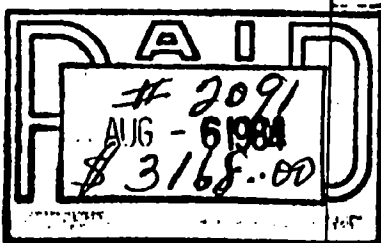
THIS SALE IS SUBJECT TO
THE "TERMS AND CONDITIONS"
SHOWN ON THE REVERSE
SIDE HEREOF

PLEASE REFER
TO THIS NUMBER
ON ALL
CORRESPONDENCE

WASTE SOLVENT

SAMPLE NO.

40-ASH-0229



ASHLAND CHEMICAL COMPANY

A DIVISION OF ASHLAND OIL CO.

QUANTITY ORDERED

CONT.

TEMP.

NET QUANTITY

UNIT PRICE

AMOUNT

66.00

48.00000

3,168.00

AUG 16 1984

BILLING UNITS: P = POUNDS H = CWT
G = GALLONS T = TONS
K = KILOGRAMS E = EACH

INVOICE NUMBER

050 792528

CUSTOMER NUMBER

50

040

234600

34113

PLEASE RETURN
REMITTANCE ADVICE
WITH YOUR PAYMENT

PAYMENTS NOT MADE WITHIN THE TERMS AND CONDITIONS
INDICATED ARE SUBJECT TO DELINQUENCY CHARGE BY
SELLER.

CONSIGNEE
SAME

DANIEL PRODUCTS
400 CLAREMONT AVE
JERSEY CITY

NJ 07304

REMIT
TO:

ASHLAND CHEMICAL COMPANY
P.O. BOX 93263
CHICAGO, ILLINOIS 60673

IMPORTANT

REFERENCE NO. 3

HUDSON REGIONAL HEALTH COMMISSION

215 ~~843~~ HARRISON AVENUE
HARRISON, NEW JERSEY 07029

(201) 485-7001

(201) 485-7002

EMERGENCY RESPONSE

DATE: MARCH 6, 1987

Location: Daniels Products, 400 Claremont Ave., Jersey City, N.J.

Nature of Incident: Report of xylene spill at above stated facility.

Notification: Call from D.E.P., Division of Emergency Response at 3:45 p.m., on March 5, 1987. D.E.P. Cast #8703061522

Findings: 4:20 p.m.: Arrived at facility and met with Mr. Denis Keleman, Plant Manager and Gene Tysh, Engineer.

4:30 p.m.: Inspected area of xylene spill with Mr. Keleman. He reports the spill had occurred approximately 9:50 a.m. on March 5, 1987. The spill reportedly was confined to cemented area of yard identified by the company as 400 building tank yard, Yale Avenue (see diagram). Mr. Keleman explained that a confusion of the identity of underground tanks #19 and #20 resulted in the over filling of company tank #19 and a spill to the yard of approx. 20-30 gallons of xylene. Mr. Keleman states that construction in the same yard had caused a temporary shut off of the overfill alarms for the tanks.

5:00 p.m.: Obtained copies of materials safety data sheet, bill of lading, purchase order, scale weights and in-house tank gauge record for xylene spill. Contact Mr. Priit Pals, D.E.P., Bureau of Emergency Response and informed him of findings.

6:00 p.m.: Departed.

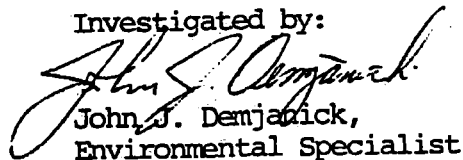
Conclusion:

- Unreasonable delay in notification of D.E.P.
- Possible soil contamination from a reportedly "broken drain". Slight xylene odor present.
- Possible discharge to city storm drain via same broken drain.

Recommendations:

- Follow up by D.E.P., Division of Waste Management.
- Action for failure to promptly notify D.E.P.

Investigated by:


John J. Demjanick,
Environmental Specialist

Attachment

"SERVING BAYONNE, EAST NEWARK, GUTTENBERG, HARRISON, HOBOKEN,
JERSEY CITY, KEARNY, NORTH BERGEN, SECAUCUS,
UNION CITY, WEEHAWKEN, WEST NEW YORK."

CLERMONT AVE.

ORIGIN
OF SPILL

5 gal "leak"
DOWN
ON OVERFILL PIPE

OVERFILL
PIPES

UNDERGROUND
TANK #20

UNDERGROUND
TANK #19

TRANSFER PIPES
WELL

G+7L

U.S. TANKS

APPROX 30'
FROM DRAIN TO
DRAIN.

HOLE
(DIET)

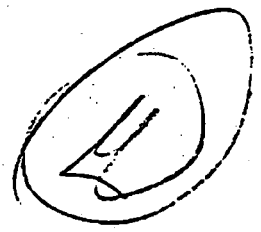
DRAIN

NEW CONTAINMENT WALL.

DANIEL PRODUCTS CO.

PAVE AVE.

DEP. DR. EMER. RESPONSE
CASE # 8703061522



WESTSIDE AVE.

7771
CHICAGO

REFERENCE NO. 4

DISPERSIONS & SPECIALTY ADDITIVES

DANIEL PRODUCTS COMPANY



Division of SYNRES CHEMICAL CORP.

400 Claremont Avenue, Jersey City, New Jersey 07304

May 5, 1987

1987 MAY 11 PM 3:37

Mr. Ernest Kuhlwein
Chief, Bureau of Hazardous Waste Engineering
New Jersey Department of Environmental Protection
401 East State Street
Trenton, NJ 08625

done
5/13/87

Re: Permit application withdrawal
Daniel Products Company
EPA ID # NJD001340686

C1105 = 4 WC ✓

Dear Mr. Kuhlwein:

Daniel Products has previously filed a part A of a permit application under the RCRA program. This application was filed on November 17, 1980 with the United States Environmental Protection Agency.

It is our understanding that since New Jersey has since received authorization for its RCRA program, and that all matters related to hazardous waste management are now handled by the NJ Department of Environmental Protection. Therefore, we are forwarding this request to your Bureau.

A review of our operating history indicates that Daniel Products' involvement with hazardous waste treatment, storage and disposal has been restricted to container storage of waste generated on-site. Further, we have found that recent shipments have been made within the 90 day temporary storage time period allowed to generators without a permit.

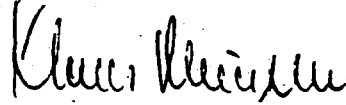
Since Daniel Products does not treat or dispose of hazardous waste on site, and since our operations allow us to send hazardous waste off-site at least once every 90 days, we feel there is no advantage to be gained by being a fully permitted storage operation. Also, we feel that a greater measure of environmental protection will be achieved since the limited storage time will insure that relatively small amounts of waste will be accumulated.

Therefore, Daniel Products is formally notifying the NJ DEP of its intent to execute its closure plan. Further, Daniel Products is formally requesting withdrawal of its permit application.

A copy of the closure plan is attached to this letter. We expect to effect closure on or before July 1, 1987. After July 1, 1987, Daniel Products will continue to operate as a generator of hazardous waste, and will send all waste generated to an off-site facility at least every 90 days. Hazardous waste will be stored in containers only. Daniel Products will continue to comply with all applicable regulations in NJAC 7:26-1.0 et seq.

If the Bureau requires any further information or if there are any other procedures we should be following to properly effect this permit withdrawal, please contact the undersigned. We will also be forwarding a copy of this letter to the United States Environmental Protection Agency, Region 2.

Sincerely,



Klaus Meinssen
Vice President

KM/mjb

cc: Richard Baker
Chief, Permits Administration Branch
United States Environmental Protection Agency, Region 2
26 Federal Plaza, Room 432
New York, New York 10278

REFERENCE NO. 5



State of New Jersey
DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF HAZARDOUS WASTE MANAGEMENT

John J. Trela, Ph.D., Acting Director
401 East State St.
CN 028

Trenton, N.J. 08625
609-633-1408

AUG 10 1987

Mr. Klaus Meinssen
Vice President
Daniel Products Company
Division of Synres Chemical Corp.
400 Claremont Avenue
Jersey City, NJ 07304

Dear Mr. Meinssen:

RE: Closure Plan Review for Daniel Products Company, Jersey City,
Hudson County, EPA ID NO. NJD 001 340 686

This is in response to Daniel Products Company's (the facility) submittal dated May 5, 1987. This submittal included the facility's formal request for delisting to generator status and a closure plan.

According to the Bureau of Hazardous Waste Engineering's (the Bureau) records, Daniel Products Company filed a Part A permit application on November 17, 1980. The hazardous waste types listed in the Part A are K078, D001, F003, U031, U239, K079, D008, K081, K082 and D008. Hazardous waste is stored in containers (S01) with a process design capacity of 1,100 gallons.

As a result of the review of the facility's submittal dated May 5, 1987 and the site visit by the Bureau's engineers on June 18, 1987, the Bureau requests that the facility submit the following:

- a) A revised closure plan for the hazardous waste container storage area in accordance to N.J.A.C. 7:26-9.8. The following items must be added to the closure plan which was submitted on May 5, 1987;
 - 1) Decontamination procedures for the hazardous waste container storage area;
 - 2) The method or test to be used to verify appropriate decontamination;

Please note that all of the above items must be added to the closure plan submitted on May 5, 1987 and should be submitted in the form of revised closure plan.

AUG 10 1987

Mr. Klaus Meinssen

2

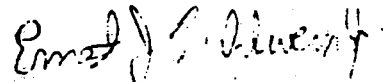
- b) Preparedness and prevention, contingency plans and emergency procedures and personnel training: According to N.J.A.C. 7:26-9.6 preparedness and prevention, N.J.A.C. 7:26-9.7 contingency plan and emergency procedures and N.J.A.C. 7:26-9.4(g) personnel training documentation must be submitted along with the revised closure plan.
- c) Copy of the contract or agreement between the facility and the emergency response contractor should be submitted.
- d) Documentation showing the records of fire department inspections or their comments on the facility's emergency procedures should also be submitted.

Please note that the facility should implement the closure plans only after the approval is granted by the Bureau.

Please submit the aforementioned items within 30 days from the date of this letter.

If you have any questions regarding this, please call Paul Mander of my staff at (609) 292-9880.

Very truly yours,



Ernest J. Kuhlwein, Jr.

Acting Chief

Bureau of Hazardous Waste Engineering

EP43/slw

cc: Barry Tornick, USEPA

Let's protect our earth



NJD001340686

State of New Jersey
DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF HAZARDOUS WASTE MANAGEMENT

John J. Trela, Ph.D., Acting Director
401 East State St.
CN 028
Trenton, N.J. 08625
609 - 633 - 1408

JUN 24 1987

Jersey Journal
30 Journal Square
Jersey City, NJ 07306

Dear Sir/Madam:

Please publish the enclosed notice as a legal advertisement one (1) time only in your earliest available issue. The "Date" to be inserted in the PUBLIC NOTICE should correspond to the date of its publication.

This is a legal notice; please do not typeset it as a display ad. Instead, set it solid in one-column width using type sizes prescribed by statute.

I am enclosing a State invoice (Form 100) for your convenience in billing us promptly. Be sure the "payee declaration" is signed, and a copy of the printed notice attached to both the original and the first "duplicate" page of the Form 100. The copies must show date of publication.

Send the completed form to my attention at the letterhead address. Thank you.

Very truly yours,

Ernest J. Kuhlwein, Jr., Acting Chief
Bureau of Hazardous Waste Engineering

EP43/lwg
Enclosures
cc: Barry Tornick

(11) TRANSACTION CODE S/C BATC:
 47 0

AGENCY P

(9) ACCOUNT NUMBER

ORGANIZATION	FUND	PROGRAM
4910	100	230000

VENDOR M
 (17) NAME, STREET, CITY, STATE

Jersey Journal
 30 Journal Square
 Jersey City, NJ 07:

1. Item D - Page 2 - Checked in Red
Please sign and date.
2. Item F - Page 2 - Checked in Red
Please fill in your 9-digit
Federal Employee Social Security
number or IRS number.

Please return invoice and your bill to
 the address indicated in the "BILL TO"
 portion of the State of New Jersey invoice.

(6) DOC TYP (7) DOCUMENT NUMBER (8) REFLECT INDICATOR
 I

BLANK = NO CHANGE
 1 = NEW VENDOR
 2 = ADDRESS CHANGE
 3 = LOCATION CODE
 4 = NEW VENDOR AND LOCATION
 5 = VENDOR NO. CORRECTION

(14) AGENCY P.O. NUMBER (15) OBLIGATION NUMBER (16)
 85127 431071

ND PHONE NO.)
 8340

NT, INDICATE DATE QUOTATION RECEIVED

BILL TO: ENTER COMPLETE NAME AND ADDRESS

FOLD MARK Ernest J. Kuhlwein, Jr., Acting Chief
 NJDEP, DHWM, BHWE
 401 E. State St., 5th Fl.
 XXXXX Trenton, NJ 08625

SHIP TO:

(18) COMMODITY CODE	VENDOR INVOICE NUMBER	(19) VENDOR IDENTIFICATION NUMBER	(20) CONTRACT NUMBER
79403			

INSTRUCTIONS TO VENDOR: (1) YOU MUST USE THE ATTACHED STATE INVOICE FORM (ORIGINAL AND DUPLICATES) FOR BILLING PURPOSES. (2) IF THIS IS A PARTIAL BILLING, YOU MUST SUBMIT BALANCES ON SEPARATE STATE INVOICE FORMS. (3) ENCLOSE PACKING SLIP WITH SHIPMENTS. (4) SHOW OBLIGATION NUMBER AND ACCOUNT NUMBER ON ALL BILLS OF LADING, INVOICES, AND CORRESPONDENCE. (5) ADDRESS ALL CORRESPONDENCE TO THE STATE AGENCY INDICATED ABOVE.

CASH DISCOUNT

ITEM NO.	QUANTITY	UNIT	DELIVER THE FOLLOWING ITEMS F.O.B. DESTINATION DESCRIPTION	UNIT PRICE	AMOUNT
1.	1	ea	LEGAL ADVERTISEMENT Daniel Products Company Division of Synres Chemical Corp. 400 Claremont Avenue Jersey City, Hudson County		



AGENCY APPROVAL: Signature affixed to this purchase order serves as certification: 1) that items purchased under DPA authorization are not currently available under the provisions of a current State contract or from the State distribution center; and 2) that funds required and authorized for this purpose are obligated and available. Unauthorized use subject to prosecution.

TOTAL OBLIGATION AMOUNT

TYPE OF PURCHASE AUTHORIZATION (Check one)

- ☐ ANNUAL CONTRACT AUTHORIZATION
☐ BLANKET ORDER
☐ DIRECT PURCHASE AUTHORIZATION
☐ SPECIAL PROCUREMENT AUTHORIZATION

(PRINTED OR TYPED NAME OF AUTHORIZING EMPLOYEE)

(TITLE)

(DATE)

This transaction is authorized by the Director of Purchase and Property in accordance with the provisions of Chap. 179 P.L. 1931 as amended. The Issuing Agency's Approval Officer's signature guarantees all provisions governing the Authorization granted by the Director have been complied with. Type and number of authorization to be indicated in the space provided. Material delivered against this order is NOT subject to Federal Excise Taxes. N.J. Excise Tax Exemption Certificate No. 22-75-0050K Exemption Certificate will be submitted on request. N.J.S.A. 54:32 B-1 et seq. exempts all materials sold N.J. State Agencies from Sales or Use Taxes. Do not include them in your price. The parties to this contract do hereby agree that the provisions of N.J.S.A. 10:2-1 et seq. dealing with discrimination in employment on public contracts, and the Rules and Regulations promulgated pursuant thereto, are hereby made a part of this contract and are binding upon them.

REFERENCE NO. 6

DISPERSIONS & SPECIALTY ADDITIVES

DANIEL PRODUCTS COMPANY



Division of SYNRES CHEMICAL CORP.

400 Claremont Avenue, Jersey City, New Jersey 07304

09-06-4

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

22 July 1988

Mr. Ernest J. Kuhlwein, Jr., Chief
Bureau of Hazardous Waste Engineering
N. J. Dept of Environmental Protection
401 E. State Street
Trenton, N. J. 08625

Dear Mr. Kuhlwein:

Re: Closure of Hazardous Waste Storage Area at
Daniel Products Company, 400 Claremont Avenue,
Jersey City, N J 07304, EPA ID# NJD001340686

This is to certify that closure of the above referenced hazardous waste storage facility has been completed per our approved closure plan and as instructed in letters received from the department dated October 7, 1987 and June 7, 1988.

A complete certified report regarding closure activities is being submitted under separate cover from Mr. Fred Ellerbusch, a N. J. professional registered engineer.

Copies of the laboratory analyses conducted in connection with closure are attached.

Very truly yours,

Klaus Meinssen
Vice President, Administration

KM:ab

Attachments

CLOSURE CERTIFICATION & RECORD

Hazardous Waste Storage Area
Daniel Products Co.

EPA ID NJD 001340686

PREPARED BY: FRED ELLERBUSCH, P.E.

DANIEL PRODUCTS COMPANY
HAZARDOUS WASTE STORAGE AREA CLOSURE RECORD

Project 87.11 - DP.1.1
7/20/88 page 2

BACKGROUND

Daniel Products Company, a division of Synres Chemical Corporation, 400 Claremont Avenue, Jersey City, N.J. 07304, (EPA ID NJD 001340686), operates a specialty chemical compounding and manufacturing plant for the production of colorants and additives. These colorants and additives are used by paint, ink and related industries throughout the United States. The manufacture of these products involves compounding solvents, water, resins, pigments, wax, wetting agents and other materials in batches of 100 to 600 gallons.

As a supplier of many colorants and additives, the same batch production equipment may be used for different products. At the end of a production run the equipment is usually washed. Daniel Products uses a method of saving initial wash materials for future production of the same product. After washing, the equipment is rinsed with solvents or water. The rinses are reused until they become too contaminated to be effective. These contaminated rinses are combined, decanted if needed, sampled and analyzed, placed into steel drums, and declared as hazardous waste. While this represents the primary source of hazardous waste, other wastes have been identified in the Revised Closure Plan dated August 27, 1987; a copy is provided in Appendix A.

Hazardous waste containers are stored in a designated hazardous waste storage area until final disposition. The hazardous waste storage area is operated under the interim status standards for storage facilities. As part of the interim status compliance measures a closure plan was developed for the storage area.

A Revised Closure Plan dated August 27, 1987 was submitted to the New Jersey Department of Environmental Protection (NJDEP) for approval and was approved on October 7, 1987 with several conditions; see Appendix A for a copy of the Plan and NJDEP approval. The implementation of the approved Revised Closure Plan, in this case, is triggered by the decision to change the operational status of the hazardous waste storage area from "long term storage" (i.e. in excess of 90 days) to "short term storage" (i.e. not to exceed 90 days) operating as a generator-only facility.

The Revised Closure Plan as approved by NJDEP on October 7, 1987 was implemented on November 23, 1987. Monitoring results of the 11/23/87 decontamination activities showed that the

DANIEL PRODUCTS COMPANY
HAZARDOUS WASTE STORAGE AREA CLOSURE RECORD

Project 87.11 - DP.1.1
7/20/88 page 3

decontamination levels specified by NJDEP were not reached; these results are reported in this closure record. In a letter dated May 5, 1988, Mr. Billy Jones of Environmental Management and Compliance Corporation (EMC) wrote to NJDEP and requested that NJDEP reconsider its original decontamination levels (see Appendix A). NJDEP responded, in a letter dated June 7, 1988, by specifying a new decontamination method and a revised decontamination level for lead (see Appendix A). On July 6, 1988 the new decontamination procedure was implemented and monitoring results indicate that the NJDEP decontamination levels have been reached; these results are also reported in this closure record.

DESCRIPTION OF THE AREA SUBJECT TO THE APPROVED REVISED CLOSURE PLAN.

The storage of hazardous wastes is confined to a 75 sq. ft. area of the Daniel Products warehouse. The area can also be identified by rack designations 01A1 to 01D1 for horizontal extent and 01A1-01A4 to 01D1-01D4 for vertical extent. A site plan is provided in Appendix B. The area is outfitted with racks to allow a maximum storage of 16 pallets. Overhead and in-rack sprinkler protection are provided throughout the area as well as flammable liquid vapor detectors. The 75 sq. ft. floor area is protected from accidental spillage by a metal spill containment trough. The area is clearly visible from the loading dock and well marked.

Daniel Products has indicated that the area will continue to be used for the accumulation of hazardous waste containers (under the 90 day rule), after closure is completed, and the area is no longer listed as a hazardous waste storage area.

DECONTAMINATION PROCEDURE OUTLINED IN THE APPROVED REVISED CLOSURE PLAN AS IMPLEMENTED ON 11/23/87

The complete approved Revised Closure Plan is provided in Appendix A. A summary of the decontamination procedures outlined in the Plan as well as the NJDEP approval conditions are provided below:

- a) Obtain wipe samples of visible stains or spills. In absense of stains or spills a minimum of two wipe samples will be taken in containment trough area. Samples will be analyzed for lead.

REFERENCE NO. 7

NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF HAZARDOUS WASTE MANAGEMENT
HAZARDOUS WASTE INSPECTION REPORT

09-06-49

DWM-029

HAZARDOUS WASTE MANAGEMENT FACILITY INSPECTION REPORT

FACILITY INFORMATION

FACILITY NAME: Daniel Products Co.
FILE NUMBER: 09-06-49
VHT FACILITY FILE NUMBER: _____
PERMIT #: _____
REGION: M
INSPECTION DATE: 8/5/88
INCIDENT/CASE NUMBER: _____
INSPECTION TYPE: RCRA-TSD
RESPONSIBLE AGENCY CODE: S
*INSPECTOR'S NAME: Chris Felicetti
INSPECTOR'S AGENCY: NJDEP-DHWM
INSPECTOR'S BUREAU: BFO-M
EPA ID NUMBER: NJD001340666
ADDRESS: 400 Claremont Ave
Jersey City
LOT: 12,16 BLOCK: 1774
COUNTY: Hudson
FACILITY PERSONNEL: Joseph Viso - Tech Services
TELEPHONE #: 432-0800
OTHER STATE/EPA PERSONNEL: _____
REPORT PREPARED BY: Chris Felicetti
REVIEWED BY: Yul Eide yul
DATE OF REVIEW: 08-30-88

PHOTOS TAKEN: ☐ YES ☒ NO

SAMPLE TAKEN: ☐ YES ☒ NO

If yes, how many?

NO. OF SAMPLES: 0

NJDEP ID #: ND

MANIFESTS REVIEWED: ☒ YES ☐ NO

Number of Manifests in Compliance: 14

Number of Manifests Not in Compliance:

List Manifest Document Numbers of Those Manifests Not in Compliance:

Describe the activities that result in the generation of hazardous waste.

Bag house dust collector.

Carbon filtering of vapors

Cleaning of Pigment mixing VATs

Identify the hazardous waste located on site, and estimate the approximate quantities of each. (Identify Waste Codes).

15 x 55 gal drums 0001 - waste cellosolve

3 x 55 gal drum 0007/0008 - Bag house dust

SUMMARY OF FINDINGS

1/4

FACILITY DESCRIPTION AND OPERATIONS

On 8/5/88 I conducted a RCRA inspection of Daniel Products Co., 400 Claremont Ave, Jersey City (NJ) 001340686. During this inspection I was accompanied by Mr. Joe Viso, Group leader, Technical Services and also spoke with Mr. H. House Meinssen, V.P.

Daniel Products has been in business since 1957 manufacturing pigments and dispersions for the ink, paint and related coating industries. They also manufacture specialty additives such as defoamers and flattening agents (things that inhibit glossiness in a finish). The company deals in solvents, such as xylene, butyl celosolve, IPA, and normal butanol, resins, pigments, wax powders and wetting agents. These materials are compounded to form the final product. Compounding is usually done by blending in open vessels, using mixers or by grinding in pebble mills. Manufacturing is usually done via batch processing, with batch sizes ranging from 100 to 600 gallons. At the end of each unique color batch the equipment is rinsed with the color specific solvent. For example, if they produce a

SUMMARY OF FINDINGS

2/4

FACILITY DESCRIPTION AND OPERATIONS

yellow ink that used xylene as its solvent. The vessel is initially rinsed with xylene. The ink contaminated xylene is then stored in 55 gallon drums and tracked on a batch card. The next time a yellow color using xylene is to be batched, the reuse-used xylene is used as the raw material solvent in the batch process, eliminating the need to dispose of the initial rinse. After the initial rinse the vessels are then cleaned out using the "cellulosolve" solvent, which is compatible with both solvent and water based products. The cellulosolve is reused until spent and then drummed and disposed of as D001.

Other waste streams generated include pigment dust. The air ventilation system passes the air through a bag house which removes the dust that is generated through out the facility. The pigment dust is collected in 55 gallon drums and disposed of as a D008.

There are in ground oil and sludge separators throughout the facility that are used to collect floor washings and debris. These

SUMMARY OF FINDINGS

3/4

FACILITY DESCRIPTION AND OPERATIONS

are periodically cleaned out and the residues drummed and disposed of as D008.

The facility uses caustic detergent solutions to clean their portable tank equipment.

This material is reused until spent then accumulated in 55 gallon drums and disposed of as a D001.

Added to the air pollution control equipment is a large carbon absorption tank. After going through the bag house the plant air is passed through the carbon tank and any solvent fumes removed. When spent the carbon is removed from the tank and sent to be regenerated as F003.

Overall the inspection found the facility to be in good order. House keeping is good if a bit crowded. The company is currently operating at a large backlog and working extended hours to handle an increased production load. Consequently, free space is at a premium.

The hazardous waste is stored in metal racks inside the ware house area. The area

SUMMARY OF FINDINGS

4/4

FACILITY DESCRIPTION AND OPERATIONS

is diked for spill containment and is inspected daily. Raw material and product storage is handled equally well. All racks have fire sprinklers at each tier if needed. There are catch basins in the floor which lead to water separators to remove any contamination. The waste house is also monitored by explosive gas indicators which sound an alarm and activate a ventilation system to clean out the accumulated gases.

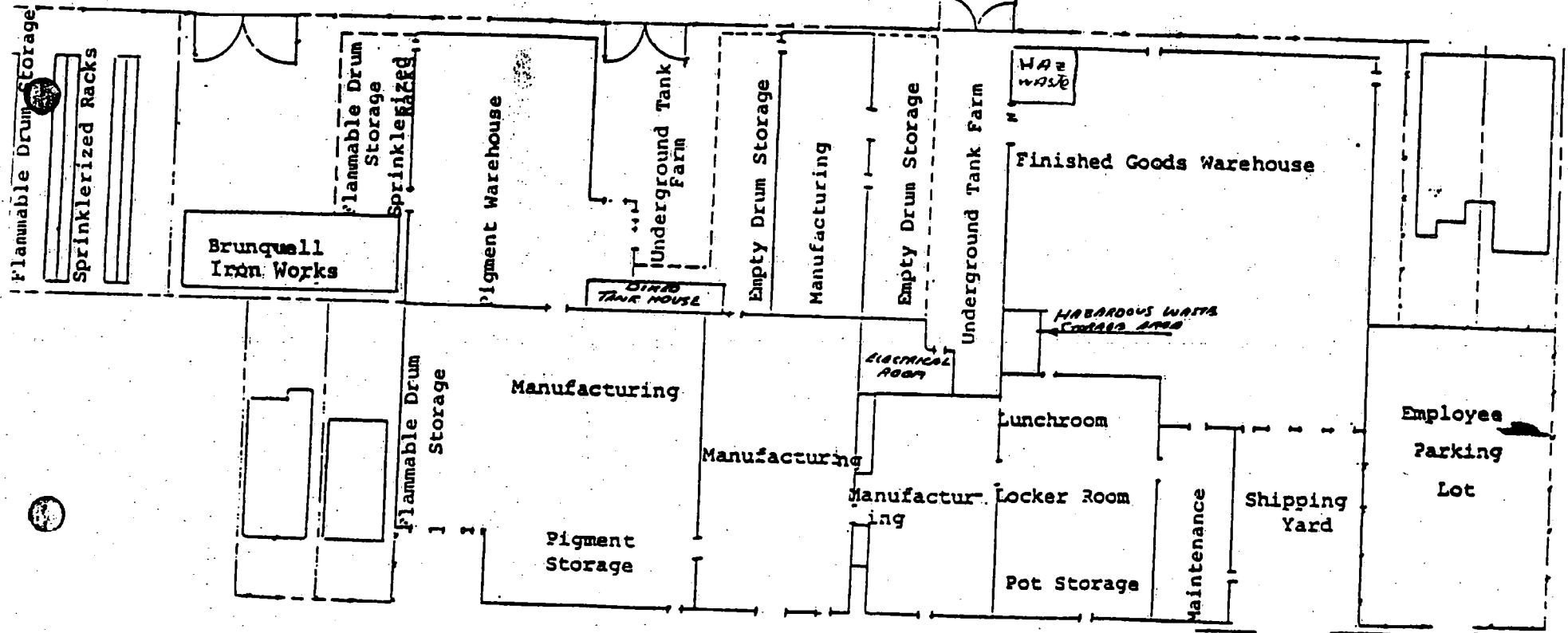
The documentation was similarly in good order with all training records up to date, and the facility is in compliance with all TSD documentation.

One manifest was found on which the facilities EPA ID# was incorrect, but this was addressed by the end of the inspection, and as it was a recent manifest, no violation was given.

ATTACHMENT 1

DANIEL PRODUCTS COMPANY GENERAL SITE PLAN

YALE AVENUE



CLAREMONT AVENUE

YALE AVE

5G's
24
5G's
23
5G's
22
5G's
21

36's
19

5G's
17
5G's
18

15G's
20

5G's
15
5G's
16

TANK FARM +
LEAN-TO STORAGE

14 3G's

13 3G's

12 3G's

11 3G's

10 3G's

32 31 30 29 ALL
FIBER 2's IN HEATED BUILDINGS

402 ANNEX

6G's
37
6G's
36
35 5G's
34 5G's
33 5G's

TANK FARM +
LEAN-TO STORAGE

1 25G's

2 25G's

3 25G's

4 25G's

5 25G's

5G's
6

3G's

7

HAZARDOUS
WASTE

401 BUILDING
PRODUCTION

402 BUILDING
PRODUCTION

400 BUILDING
PRODUCTION

13

CLAREMONT AVE

YES NO N/A

Does each manifest have the following information? Please circle the elements missing and obtain a copy of the incomplete manifests. (List those manifests that are deficient on G-1).

The generator's name, address and phone number.

The generator's EPA ID number.

The hauler(s) name, address phone number and NJ registration.

The hauler(s) EPA ID number.

**The name, address and phone number
of the designated TSD facility.**

The TSF's EPA ID number.

**The name, address and phone number
of the designated TSD facility.**

The name, type and quantity of hazardous waste being shipped, including such particulars as may be required regarding same?

Special handling instructions and any other information required on the form to be shipped by generator?

YES NO N/A

7:26-7.4(3)	Did the generator describe all N.O.S. wastes in Section J?	✓	—	—
7:26-7.4(a)ix	When shipping hazardous waste to a waste reuse facility does the generator enter the waste reuse facility I.D. # in the section G of the Uniform Manifest?	—	—	✓
7:26-7.4(a)5	Before allowing the manifested waste to leave the generator's property, did the generator:	✓	—	—
7:26-7.4(a)5i	Sign the manifest certification by hand?	✓	—	—
7:26-7.4(a)5ii	Obtain the handwritten signature of the initial transporter and date of acceptance on the manifest?	✓	—	—
7:26-7.4(a)5iii	Retain one copy and forward one copy to the state of origin and one copy to the state of destination?	✓	—	—
7:26-7.4(a)5iv	Provide the required numbers of copies for: generator, each hauler, owner/operator of the designated facility, as well as one copy returned to the generator by the facility owner/operator?	✓	—	—
7:26-7.4(a)5v	Give the remaining copies of the manifest form to the hauler?	✓	—	—
7:26-7.4(f)	Has the generator maintained facility records for three (3) years? (Manifest(s), exception report(s) and waste analysis)	✓	—	—
7:26-7.4(h)1	Has the generator received signed copies of portion B (from the TSD facility) of all manifests for waste shipped off site more than 35 days ago?	✓	—	—
7:26-7.4(h)1	If not: Did the generator contact the hauler and/or the owner or operator of the TSDF and the NJDEP at (609) 292-8341 to inform the NJDEP of the situation?	—	—	✓
7:26-7.4(h)2	Have exception reports been submitted to the Department covering any of these shipments made more than 45 days ago?	—	—	✓

YES NO N/A

7:26-9.4(b)	Waste Analysis			
7:26-9.4(b)11	Is there a detailed chemical and physical analysis of a representative sample of the waste(s) or each waste? (At a minimum, this analysis must contain all the information necessary for proper treatment storage or disposal of the waste).	✓	—	—
7:26-9.4(b)1111	Does the character of the waste handled at the facility change from day to day, week to week, etc., thus requiring frequent testing? Check only one:	—	—	—
	Waste characteristics vary: All waste(s) are basically the same: <input checked="" type="checkbox"/> Company treats all waste(s) as hazardous: <input type="checkbox"/>			
7:26-9.4(b)2	Is there a written waste analysis plan at the facility?	✓	—	—
	Does it contain:			
7:26-9.4(2)1	Parameters for which each hazardous waste stream will be analyzed including constituents listed in NJAC 7:26-8.16 and the rationale for the selection of these parameters?	✓	—	—
7:26-9.4(b)211	The test methods which will be used to test for these parameters?	✓	—	—
7:26-9.4(b)2111	The sampling method which will be used to obtain a representative sample of the waste to be analyzed?	✓	—	—
7:26-9.4(b)21v	The frequency with which the initial analysis of the waste will be reviewed or repeated to ensure that the analysis is accurate and up-to-date?	✓	—	—
7:26-9.4(b)2v	For off-site facilities, the waste analysis that hazardous waste generators have agreed to supply?	—	—	✓
7:26-9.4(b)2v11	Procedures which will be used to identify changes in waste stream characteristics?	✓	—	✓
	Does hazardous waste come to this facility from an outside source? (e.g., another generator).	—	✓	—
	If yes, list the name(s) of generators.			

YES NO N/A

- 7:26-9.4(b)4 If waste comes from an outside source, are there procedures in the waste analysis plan to insure that waste received conforms to the accompanying manifest? _ _ ✓
- Does the plan describe:
- 7:26-9.4(b)41 The procedures which will be used to determine the identity of each shipment of waste managed at the facility? _ _ ✓
- 7:26-9.4(b)411 The sampling method which will be used to obtain a representative sample of the waste to be identified, if the identification method includes sampling? _ _ ✓
- 7:26-9.4(c)1 Did the facility accept hazardous waste which it is not authorized to handle? _ _ ✓
- 7:26-9.4(i) Are all records and results of waste analysis performed pursuant to NJAC 7:26-9.4(b) and 9.4(e) as applicable written in the operating log? _ _ ✓
- 7:7:26-9.4(h) Security
- Does the facility have:
- 7:26-9.4(h)11 A 24 hour surveillance system which continuously monitors and controls entry onto the active portion of the facility? ✓ _ _
- 7:26-9.4(h)111 An artificial or natural barrier, which completely surrounds the active portion of the facility; and a means to control entry, at all times, through the gates or other entrances to the active portion of the facility? ✓ _ _
- 7:26-9.4(h)3 Are there "Danger-Unauthorized Personnel Keep Out" signs posted at each entrance to the facility? ✓ _ _
- If no, explain what measures are taken for security.

YES NO N/A

7:26-9.4(f) General Inspection Requirements

7:26-9.4(f)1 Does the owner or operator inspect the facility for malfunctions and deterioration, operator errors and discharges which may be causing, or may lead to:

7:26-9.4(f)11 Discharge of hazardous waste constituents to the environment?

7:26-9.4(f)111 A threat to human health?

7:26-9.4(f)3 Has the owner or operator developed, and does the owner or operator follow a written schedule for inspecting monitoring equipment, safety and emergency equipment, security devices, and operating and structural equipment that are utilized for the prevention, detection or response to environmental or human health?

7:26-9.4(f)31 Did the owner or operator submit the written inspection schedule to the department?

If yes, when was it submitted? 1985

7:26-9.4(f)3111 Is the written inspection schedule kept at the facility?

7:26-9.4(f)31v Does the schedule identify the types of problems to be looked for during the inspection?

7:26-9.4(f)3v Does the schedule include the frequency of inspection, based upon the rate of possible deterioration of the equipment and the probability of an environmental, or human health incident if the deterioration or malfunctions or any operator error goes undetected between inspections?

7:26-9.4(f)5 Is there evidence that problems reported in the inspection log have not been remedied?

7:26-9.4(f)6 Does the owner/operator record inspections in a log?

✓ — —

✓ — —

✓ — —

✓ — —

— — —

✓ — —

✓ — —

✓ — —

— ✓ —

✓ — —

YES NO N/A

7:26-9.4(f)6	Are these records kept for at least three (3) years from the date of inspection?	✓	—	—
7:26-9.4(f)6	Does the records include the date, and time of the inspection, the name of the inspector, a notation of the observations made, and the date and nature of any repairs or other remedial action?	✓	—	—
7:26-9.4(g)	<u>Personnel Training</u>			
	Have facility personnel successfully completed a program of classroom instruction or on-the-job training within six months of having been employed?	✓	—	—
7:26-9.4(g)2	Is the program directed by a person trained in hazardous waste management procedures and does it include instruction which teaches facility personnel hazardous waste management procedures (including contingency plan implementation) relevant to the positions in which they are employed?	✓	—	—
7:26-9.4(g)5	If yes, have facility personnel taken part in an annual review of training?	✓	—	—
	Is there written documentation of the following:			
7:26-9.4(g)61	Job title for each position at the facility related to hazardous waste management, and the name of the employee filling each job?	✓	—	—
7:26-9.4(g)611	A written job description for each position related to hazardous waste management?	✓	—	—
7:26-9.4(g)6111	A written description of the type and amount of both introductory and continuing training given to personnel in jobs related to hazardous waste management?	✓	—	—
7:26-9.4(g)61v	Documentation of actual training or experience received by personnel?	✓	—	—

YES NO N/A

7:26-9.4(g)7	Are training records kept on all current employees until closure of the facility and training records kept on former employees for three years from their last date of employment?	✓	—	—
7:26-9.4(g)8	Are semi-annual drills conducted involving all employees and appropriate local authorities to test emergency response capabilities at the facility in accordance with the contingency plan and emergency procedures development pursuant to NJAC 7:26-9.7?	✓	—	—
7:26-9.6	<u>Preparedness and Prevention</u> Does the facility comply with preparedness and prevention requirements including maintaining:			
7:26-9.6(b)1	An internal communications or alarm system?	✓	—	—
7:26-9.6(b)2	A telephone or other device to summon emergency assistance from local authorities?	✓	—	—
7:26-9.6(b)3	Portable fire equipment, spill control equipment, and decontamination equipment?	✓	—	—
7:26-9.6(b)4	Water at adequate volume and pressure to supply water hose streams, or foam producing equipment, or automatic sprinklers, or water spray systems?	✓	—	—
7:26-9.6(c)	Is equipment tested and maintained?	✓	—	—
7:26-9.6(d)1	Is there immediate access to communications or alarm systems during handling of hazardous waste?	✓	—	—
7:26-9.6(e)	Adequate aisle space to allow unobstructed movement of personnel fire protection equipment, spill control equipment and decontamination equipment?	✓	—	—

If no, please explain.

waste is stored in metal racks inside a diked area, with fire sprinklers at each rack. Fire + spill protection are good.

YES NO N/A

In your opinion, do the types of waste on site require all of the above procedures, or are some not required?

✓ — —

Explain.

7:26-9.6(f)

Has the facility made the following arrangements, as appropriate for the type of waste handled on site?

— — —

7:26-9.6(f)1

Familiarize police, fire departments and emergency response teams with the layout of the facility and hazardous waste handled?

✓ — —

7:26-9.6(f)2

Where more than one police and fire department might respond to an emergency, is there an agreement designating primary emergency authority to a specific police or fire department, and agreements with any others to provide support to the primary emergency authority?

✓ — —

7:26-9.6(f)3

Agreements with emergency response contractors, and equipment suppliers?

✓ — —

7:26-9.6(f)4

Arrangements to familiarize local hospitals with the properties of hazardous waste handled at the facility and the types of injuries or illnesses which could result from fires, explosions, or discharges at the facility?

✓ — —

7:26-9.6(f)5

Arrangements with local fire departments to inspect the facility on a regular basis with at least two inspections annually?

✓ — —

7:26-9.7

Contingency Plan and Emergency Procedures

7:26-9.7(a)

Does the facility have a written contingency plan for emergency procedures designed to deal with fires, explosions, hazards to human health or environment, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil or surface water?

✓ — —

YES NO N/A

- 7:26-9.7(b) Are provisions of the plan carried out immediately whenever there is a fire, explosion, or release of hazardous waste or hazardous waste constituents which could threaten human health or the environment? ☒ — —
- 7:26-9.7(c) Does the contingency plan describe the actions facility personnel shall take in response to fires, explosions, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water at the facility? ☒ — —
- 7:26-9.7(d) Did the owner or operator prepare a Spill Prevention, Control, and Countermeasures (SPCC) Plan in accordance with 40 CFR 112 or 151 or a Discharge Prevention, Containment and Countermeasure (DPCC) Plan in accordance with NJAC 7:1E-4.1 et seq.? ☒ — —
- If yes, did the owner or operator amend that plan to incorporate hazardous waste management provisions that are sufficient to comply with the requirements of this section? ☒ — —
- 7:26-9.7(e) Does the plan describe arrangements agreed to by local police departments, fire departments, hospitals, contractors, and state and local emergency response teams to coordinate emergency services? ☒ — —
- 7:26-9.7(f) Does the plan list names, addresses, and phone numbers (office and home) of all persons qualified to act as emergency coordinator and is this list kept up-to-date? Where more than one person is listed, one shall be named as primary emergency coordinator and others shall assume responsibility as alternates? ☒ — —

YES NO N/A

7:26-9.7(g)

Does the plan include a list of all emergency equipment at the facility (such as fire extinguishing systems, spill control equipment, communications and alarm systems (internal and external), and decontamination equipment), where this equipment is required? Is the list kept up-to-date? In addition, does the plan include the location and a physical description of each item on the list, and a brief outline of its capabilities?

✓ _ _

7:26-9.7(h)

Does the plan include an evacuation procedure for facility personnel where there is a possibility that evacuation could be necessary? Does this plan describe signal(s) to be used to begin evacuation, evacuation routes, and alternative evacuation routes (in cases where the primary routes could be blocked by releases of hazardous waste or fires)?

✓ _ _

7:26-9.7(i)

Is a copy of the contingency plan and all revisions to the plan:

1. Maintained at the facility; and
2. Has the contingency plan been submitted to local authorities (police, fire departments, emergency response teams)?

✓ _ _

✓ _ _

7:26-9.7(k)

Is there at least one employee on site or on call with the responsibility of coordinating all emergency response measures?

✓ _ _

7:26-9.8

Closure Plan

7:26-9.8(c)

Does the facility have a written closure plan?

✓ _ _

Does the owner/operator keep a written copy of the closure plan and all revisions to the plan at the facility?

✓ _ _

If yes, does the plan include:

YES NO N/A

- 7:26-9.8(e)11 A description of how and when the facility will be partially closed (if applicable) and ultimately closed? ☒ ☐ ☐
- 7:26-9.8(e)111 The maximum extent of the operation which will be open during the life of the facility? ☒ ☐ ☐
- 7:26-9.8(e)2 An estimate of the maximum inventory of wastes in storage or in treatment at any given time during the life of the facility? ☒ ☐ ☐
- 7:26-9.8(e)3 A description of the steps needed to decontamination facility equipment during closure? ☒ ☐ ☐
- 7:26-9.8(e)4 A schedule for final closure including the anticipated date when the wastes will no longer be received, the date when completion of final closure is anticipated, and intervening milestone dates which will allow tracking of the progress of closure? ☒ ☐ ☐
- Post Closure Plan
- 7:26-9.9(g) Does the facility have a written post-closure plan kept at the facility? ☐ ☐ ☒
- If yes, does the plan:
- 7:26-9.9(1) Identify the activities which will be carried on after closure and the frequency of these activities? ☐ ☐ ☐
- 7:26-9.9(1)1 Include a description of the planned ground water monitoring activities and frequencies at which they will be performed? ☐ ☐ ☐
- 7:26-9.9(1)2 Include a description of the planned maintenance activities, and frequency at which they will be performed, to insure the following: ☐ ☐ ☐
- 7:26-9.9(1)21 The integrity of the cap and final cover or other containment structures where applicable? ☐ ☐ ☐
- 7:26-9.9(1)211 Describe the function of the facility monitoring equipment? ☐ ☐ ☐

YES NO N/A

7:26-9.9(1)3

Include the name, address and phone number of a person or office to contact about the disposal facility during the post-closure period?

— — ☒

Does the owner/operator have a written estimate of the cost of post-closure for the facility?

— — ☒

If yes, what is it?

Please circle all appropriate activities and answer questions in appropriate sections all activities circled.

<u>Storage</u>	<u>Treatment</u>	<u>Disposal</u>
<u>Container</u>	Tank	Landfill
Tank, Above Ground	Surface Impoundments	
Tank, Below Ground	Incineration	Surface Impoundments
Surface Impoundments	Thermal Treatment	Other _____
Waste Piles		
Other _____	Chemical, Physical and Biological Treatment	
Other _____		

7:26-9.4(d)

Containers

What type of containers are used for storage? Describe the size, type, quantity and nature of wastes (e.g., 12 fifty-five gallon drums of waste acetone).

15 x 55 gal Drums DCC1
3 x 55 gal Drum DCC5

7:26-9.4(d)11

Do the containers appear to be of sturdy leakproof construction of adequate wall thickness, weld, hinge and seam strength, and of sufficient material strength to withstand side and bottom shock, while filled, without impairment of the container's ability to contain hazardous waste?

☒ — —

If no, explain.

YES NO N/A

- 7:26-9.4(d)111 Are the lids, caps, hinges or other closure devices of sufficient strength that when closed, they will withstand dropping, overturning or other shock without impairment of the container's ability to contain hazardous waste? ☒ YES ☐ NO ☐ N/A
- If no, explain.
- 7:26-9.4(d)2 Do the containers appear to be in good condition, not in danger of leaking? ☒ YES ☐ NO ☐ N/A
- 7:26-9.4(d)2 If not, please describe the type, condition and number of leaking or corroded containers. Be detailed and specific.
- 7:26-9.4(d)3 Are hazardous wastes stored in containers made of compatible materials? ☒ YES ☐ NO ☐ N/A
- 7:26-9.4(d)41 Are all containers securely closed, except those in use, so that there is no escape of hazardous waste or its vapors? ☒ YES ☐ NO ☐ N/A
- If no, explain.
- 7:26-9.4(d)4111 Do containers appear to be properly opened, handled or stored in a manner which will minimize the risk of the container rupturing or leaking? ☒ YES ☐ NO ☐ N/A
- If no, explain.
- 7:26-9.4(d)iv Are containerized hazardous wastes segregated in storage by waste type? ☒ YES ☐ NO ☐ N/A
- 7:26-9.4(d)v Are containerized hazardous wastes arranged so that their identification label is visible? ☒ YES ☐ NO ☐ N/A
- 7:26-9.4(d)5 Does the owner/operator inspect the container storage area at least daily, looking for leaks and for deterioration caused by corrosion or other factors? ☒ YES ☐ NO ☐ N/A
- 7:26-9.4(d)6 Are containers holding ignitable and reactive waste located at least 50 feet (15 meters) away from the facility's property line? ☒ YES ☐ NO ☐ N/A

YES NO N/A

7:26-9.4(d)71

Are incompatible wastes, or incompatible wastes and materials placed in the same container?

— ☒ —

If yes, explain.

7:26-9.4(d)711

Are hazardous wastes placed in unwashed containers that previously held incompatible wastes?

— ☒ —

If yes, explain.

7:26-9.4(d)7111

Are containers holding hazardous waste that are incompatible with any waste or other materials stored nearby in other containers, open tanks, or surface impoundments separated from the other materials or protected from them by means of a dike, berm, wall or other device?

— ☒ —

7:26-9.4(e)11

Are ignitable, reactive or incompatible wastes protected from sources of ignition or reaction?

☒ — —

If no, explain.

7:26-9.4(e)111

Does the owner/operator confine smoking and open flames to specially designated locations when ignitable or reactive wastes are being handled?

☒ — —

If no, explain.

7:26-9.4(e)1111

Does the owner/operator conspicuously place "No Smoking" signs whenever there is a hazard from ignitable or reactive waste?

☒ — —

If the treatment, storage or disposal of ignitable or reactive waste, and the mixture of incompatible wastes and materials, conducted so that it does not:

7:26-9.4(e)21

Generate extreme heat or pressure, fire or explosion, or violent reaction?

— ☒ —

7:26-9.4(e)211

Produce uncontrolled toxic mists, fumes, dusts, or gases in sufficient quantities to threaten human health.

— ☒ —

YES NO N/A

7:26-9.4(e)2111

Produce uncontrolled flammable fumes or gases in sufficient quantities to pose a risk of fire or explosion?

— ☒ —

7:26-9.4(e)21v

Damage the structural integrity of the device or facility containing the waste?

— ☒ —

7:26-9.4(e)2v

Threaten human health or the environment?

— ☒ —

7:26-11.2

Tanks

What are the approximate number and size of tanks containing hazardous waste?

— — ☒

Identify the waste treated/stored in each tank.

General Operating Requirements

7:26-11.2(a)2

Are hazardous wastes or treatment reagents placed in the tank that could cause the tank or its inner liner to rupture, leak or corrode?

— — —

If yes, please explain.

Are there leaking tanks?

— — —

7:26-11.2(a)2

Are all hazardous wastes or treatment reagents being placed in tanks compatible with the tank material so that there is no danger of ruptures, corrosion, leaks or other failures?

— — —

7:26-11.2(3)

Do uncovered tanks have at least two feet of freeboard or an adequate containment structure?

— — —

7:26-11.2(a)4

If waste is continuously fed into a tank, is the tank equipped with a means to stop the inflow from the tank, e.g., bypass system to a standby tank?

— — —

7:26-11.2(c)

Inspections

Is the tank(s) inspected for:

1. Discharge control equipment (each operating day).

— — —

RCRA LAND DISPOSAL RESTRICTION INSPECTION

Facility: Daniel Products Co.

U.S. EPA I.D. No.: NJD 001340686

Street: 400 Claremont Ave

City: Jersey City State: N.J. Zip Code: _____

Telephone: _____

Operator: Joe Viso for Dennis Hellemen

Street: _____

City: _____ State: _____ Zip Code: _____

Telephone: _____

Owner: _____

Street: _____

City: _____ State: _____ Zip Code: _____

Telephone: _____

Inspection Date: 8/5/88 Time: 1000 - 1330 Weather Conditions: Hazy & Hot

	Name	Affiliation	Telephone
Inspectors:	<u>Chris Felice/Ti</u>	<u>NJDEP-DHrm</u>	<u>(201) 669-3960</u>

Facility Representatives: Joseph Viso - Tech Services

	RCRA Status	F-Solvent	LDR Status California List
Generator	<u>✓</u>	<u>✓</u>	<u>✓</u>
Transporter	_____	_____	_____
Treater	_____	_____	_____
Storer	<u>✓</u>	_____	<u>✓</u>
Disposer	_____	_____	_____

RCRA LAND DISPOSAL RESTRICTION INSPECTION APPLICABILITY CHECKLIST

Does the facility handle the following wastes?

		Gen.	Treat	Store	Disp.	Trans.
A.	<u>F-Solvent Wastes</u>					
1.	F001	_____	_____	_____	_____	_____
2.	F002	_____	_____	_____	_____	_____
3.	F003	✓_____	_____	_____	_____	_____
4.	F004	_____	_____	_____	_____	_____
5.	F005	_____	_____	_____	_____	_____

Note: Use Appendix A to determine whether the facility is misclassifying any of its wastes.

B. California List Wastes

1. Liquid hazardous waste (including free liquids associated with any solid or sludge) that contains the following metals at concentrations greater than or equal to those specified

		Gen.	Treat	Store	Disp.	Trans.
Arsenic	500 mg/L	_____	_____	_____	_____	_____
Cadmium	100 mg/L	_____	_____	_____	_____	_____
Chromium VI	500 mg/L	✓_____	_____	✓_____	_____	_____
Lead	500 mg/L	✓_____	_____	✓_____	_____	_____
Mercury	20 mg/L	_____	_____	_____	_____	_____
Nickel	134 mg/L	_____	_____	_____	_____	_____
Selenium	100 mg/L	_____	_____	_____	_____	_____
Thallium	130 mg/L	_____	_____	_____	_____	_____

2. Liquid hazardous waste (including free liquids associated with any solid or sludge) that contains free cyanides at concentrations greater than or equal to 1,000 mg/L *NA*

Gen.	Treat	Store	Disp.	Trans.
_____	_____	_____	_____	_____

3. Liquid hazardous waste that has a pH of less than or equal to 2.0 *NA*

_____	_____	_____	_____	_____
-------	-------	-------	-------	-------

4. Liquid hazardous waste that contains PCBs at concentrations greater than or equal to *NA*

50 ppm _____	_____	_____	_____	_____
500 ppm _____	_____	_____	_____	_____

Does the facility mix liquid hazardous waste that contains PCBs with other types of wastes?

_____ Yes _____ No _____ NA

If yes, state reasons for mixing:

5. Liquid hazardous waste that is primarily water and that contains HOCs greater than or equal to 1,000 mg/L (dilute HOC wastewater) and less than 10,000 mg/L *NA*

Note: The prohibitions of 268.32(a)(3) and (e) do not apply if the HOC waste is also subject to the solvent restrictions of 268 Subpart C or a specific HOC.

RCRA LAND DISPOSAL RESTRICTION INSPECTION

TSD CHECKLIST

TSD REQUIREMENTS

A. General Facility Standards

Facility is storage only.
Provides proper LDR
notifications with shipments
of corrosives and F-Solvents
and metals when applicable

1. Does the waste analysis plan cover Part 268 requirements [264.13 or 265.13]?
 - ☐ F-solvent ☐ Yes ☒ No ☐ NA
 - ☐ California List ☒ Yes ☐ No ☐ NA
2. Does the facility obtain representative chemical and physical analyses of wastes and residues?
 - ☒ Yes ☐ No
 - a. What date was the waste analysis plan last revised? 7/85
 - b. Are analyses conducted on-site or off-site?
 - ☒ On-site ☐ Off-site

Identify off-site lab: _____
- c. Is F-solvent waste analyzed using TCLP?
 - ☐ Yes ☐ No ☒ NA
- d. Describe the frequency of sampling: each shipment
- e. Describe procedures used to identify manifest discrepancies: _____

3. Are the operating records, including analyses and quantities, complete [264.73/265.73]?
 - ☒ Yes ☐ No

B. Storage (268.50)

1. Are restricted wastes stored on-site?

☒ Yes ☐ No

If no, go to C, Treatment in Surface Impoundments.

2. If yes, check the appropriate method.

☐ Tanks
☒ Containers

3. Are all containers clearly marked to identify the contents and date(s) entering storage?

☒ Yes ☐ No ☐ NA

4. Do operating records track the location, quantity of the wastes, and dates that the wastes enter and leave storage?

☒ Yes ☐ No

5. Do operating records agree with container labeling?

☒ Yes ☐ No ☐ NA

6. Have wastes been stored for more than 1 year since the applicable LDR regulations went into effect?

☐ Yes ☒ No ☐ NA

If yes, can the facility show that such accumulation is necessary to facilitate proper recovery, treatment, or disposal?

☐ Yes ☐ No

If yes, state how: _____

7. Have tanks been emptied at least once per year since the applicable LDR regulations went into effect?

____ Yes ____ No ☒ NA

If yes, do the operating records show that the volume of waste removed from tanks annually equals or is more than the tank volume?

____ Yes ____ No

8. Are all tanks clearly marked with a description of the contents, the quantity of wastes received, and date(s) entering storage, or is such information recorded and maintained in the operating record?

____ Yes ____ No ☒ NA

C. Treatment

1. Does the facility treat restricted wastes other than in surface impoundments?

____ Yes ☒ No

If no, go to D, Treatment in Surface Impoundments.

2. Describe the treatment processes:

3. Does the facility, in accordance with an acceptable waste analysis plan, determine whether the residue from all treatment processes is less than treatment standards [268.7(b)]?

____ Yes ____ No

4. Describe frequency of testing treatment residuals:

5. Is dilution used as a substitute for treatment?

____ Yes ____ No

6. Are notifications prepared by the generators kept in the facility's operating record? ☐ Yes ☐ No
7. Does the facility ship any waste or treatment residue that meets the treatment standards to an off-site disposal facility? ☐ Yes ☐ No ☐ NA

If yes, does the treatment facility provide notification and certification to the disposal facility?

☐ Yes ☐ No

If yes, does notification contain the following?

EPA Hazardous waste number(s)	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Applicable treatment standards	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Manifest number	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Waste analysis data, if available	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Certification that the waste meets the treatment standards	<input type="checkbox"/> Yes	<input type="checkbox"/> No

Identify off-site disposal facilities: _____

D. Treatment in Surface Impoundments

1. Are restricted wastes placed in surface impoundments for treatment? ☐ Yes ☒ No

If no, go to E, Land Disposal.

2. If yes, did the facility submit to the Agency the waste analysis plan and certification of compliance with minimum technology and ground-water monitoring requirements?

☐ Yes ☐ No

3. If the minimum technology requirements have not been met, has a waiver been granted for that unit?

_____ Yes _____ No

4. Are representative samples of the sludge and supernatant from the surface impoundment tested separately, acceptably, and in accordance with the sampling frequency and analysis specified in the waste analysis plan?

_____ Yes _____ No

Attach test results.

5. Do the hazardous waste residues (sludges or liquids) exceed the treatment standards specified in 268.41?

_____ Yes _____ No

6. Provide the frequency of analyses conducted on treatment residues: _____

7. Does the operating record adequately document the results of waste analyses performed in accordance with 268.41?

_____ Yes _____ No

8. Are the hazardous waste residues that exceed the treatment standards (268.41) removed adequately and on an annual basis?

Sludge _____ Yes _____ No

Supernatant _____ Yes _____ No

- a. If no, and supernatant is determined to exceed treatment concentrations, is annual volume of liquid flowing through the impoundment greater than the impoundment volume?

_____ Yes _____ No

- b. Are adequate precautions taken to protect liners, and do records indicate that liner integrity is inspected?

_____ Yes _____ No

c. Are residues subsequently managed in another surface impoundment? ☐ Yes ☐ No

d. Are residues treated prior to disposal? ☐ Yes ☐ No

If yes, are waste residues treated on-site or off-site?

☐ On-site ☐ Off-site

Identify treatment method: _____

E. Land Disposal

1. Are restricted wastes placed in land disposal units such as landfills, surface impoundments waste piles, wells, land treatment units, salt domes/beds, mines/caves, or concrete vault or bunker?

☐ Yes ☒ No

Note: Do not include surface impoundments addressed in D, Treatment in Surface Impoundments.

If yes, specify which units and what wastes each unit has received: _____

2. Does the facility operating record have notices and certifications from generators/storer/treaters [268.7(c); 268.7(a),(b)]?

☐ Yes ☐ No

3. Does the facility obtain waste analysis data or test the wastes (according to the waste analysis plan) to determine that the wastes comply with the applicable treatment standards [268.7(c)]?

☐ Yes ☐ No

If yes, at what frequency? _____

4. If restricted wastes that exceed the treatment standards are placed in land disposal units (excluding national capacity variances) [268.30(a)], does facility have an approved waiver based on no migration petition [268.6], an approved case-by-case capacity extension [268.5], or variance [268.44]?
_____ Yes _____ No
5. Does the facility dispose of restricted wastes that are subject to a national capacity variance?
_____ Yes _____ No
- If yes, are these wastes disposed of in a new, replacement, or laterally expanded landfill or impoundment that meets the minimum technology requirements (double liner and leachate collection)?
_____ Yes _____ No
6. Does the facility have notices [268.7(a)(3)] and records of disposal for disposed wastes that are subject to a national capacity variance, case-by-case extensions [268.5], or no migration petitions [268.6]?
_____ Yes _____ No _____ NA
7. What is the volume of the restricted wastes disposed of to date?

8. If the facility has a case-by-case extension, is the facility making progress as described in progress reports?
_____ Yes _____ No _____ NA

APPENDIX A

SOLVENT IDENTIFICATION CHECKLIST

1. Does the handler generate any of the following F001 constituents (i.e., spent halogenated solvents used in degreasing) as a result of being used in the process either in pure form or commercial grade?

tetrachloroethylene	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
trichloroethylene	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
methylene chloride	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
1,1,1-trichloroethane	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
carbon tetrachloride	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
chlorinated fluorocarbons	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

2. Does the handler generate any of the following F002 constituents (i.e., spent halogenated solvents) as a result of being used in the process either in pure form or commercial grade?

tetrachloroethylene	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
trichloroethylene	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
methylene chloride	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
1,1,1-trichloroethane	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
chlorobenzene	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
trichlorofluoromethane	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
1,1,2-trichloro-1,2,2-trifluoroethane	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
ortho-dichlorobenzene	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

3. Does the handler generate any of the following F003 constituents (i.e., spent nonhalogenated solvents) as a result of being used in the process either in pure form or commercial grade?

xylene	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
acetone	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
ethyl acetate	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
ethyl benzene	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
ethyl ether	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
methyl isobutyl ketone	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
n-butyl alcohol	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
cyclohexanone	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
methanol	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

If the F003 waste stream has been mixed with a solid waste, does the resultant mixture exhibit the ignitability characteristic?

☐ Yes ☒ No

4. Does the handler generate any of the following F004 constituents (i.e., spent nonhalogenated solvents) as a result of being used in the process either in pure form or commercial grade?

cresols and cresylic acid
nitrobenzene

☐ Yes ☒ No
☐ Yes ☒ No

5. Does the handler generate any of the following F005 constituents (i.e., spent nonhalogenated solvents) as a result of being used in the process either in pure form or commercial grade?

toluene
methyl ethyl ketone
carbon disulfide
isobutanol
pyridine

☐ Yes ☒ No
☐ Yes ☒ No
☐ Yes ☒ No
☐ Yes ☒ No
☐ Yes ☒ No

6. Are any of the constituents listed in questions 1 through 5 used for their "solvent" properties -- that is to solubilize (dissolve) or mobilize other constituents? The following questions will be helpful in confirming this determination.

- (a) Are the constituents used as chemical carriers?

☐ Yes ☒ No

If yes, list the constituents.

- (b) Are the constituents used for degreasing/cleaning?

☒ Yes ☒ No

If yes, list the constituents.

yes, but all are recycled back into product.

- (c) Are the constituents used as diluents?

☐ Yes ☒ No

If yes, list the constituents.

- (d) Are the constituents used as extractants?

☐ Yes ☒ No

If yes, list the constituents.

(e) Are the constituents used for fabric scouring?

___ Yes ☒ No

If yes, list the constituents.

(f) Are the constituents used as reaction and synthesis media?

___ Yes ☒ No

If yes, list the constituents.

If the responses to questions 1 through 6 led the inspector to believe that the waste may be an F-solvent, answer question 7.

7. Are any of the above constituents spent solvents? (A solvent is considered "spent" when it has been used and is no longer usable without being regenerated, reclaimed, or otherwise reprocessed.)

___ Yes ☒ No

8. If the waste is a mixture of constituents as determined in questions 1 through 6, give the concentration before use of all the constituents in the solvent mixture/blend. For example:

5%	methylene chloride
2%	trichloroethylene
25%	1,1,1-trichloroethane
<u>68%</u>	mineral spirits
100%	

If the waste stream is a mixture containing a total of 10% or more (by volume) of one or more of the F001, F002, F004, or F005 listed constituents before use, it is a listed waste.

With respect to the F003 solvent wastes, if, before use, the waste stream is mixed and contains only F003 constituents, it is a listed waste. For example:

33%	acetone
16%	methanol
<u>51%</u>	ethyl ether
100%	

If the waste stream is a mixture containing F003 constituents and a total of 10% or more of one or more of the F001, F002, F004, and F005 listed constituents before use, it is a listed waste. For example:

50%	xylene (F003)
12%	TCE (F001)
<u>38%</u>	mineral spirits
100%	

If in light of the above, the handler appears to be generating F001 - F005 hazardous wastes, refer this facility to the enforcement official for followup actions verifying the use of solvents at the facility.

**APPENDIX B
TREATMENT STANDARDS FOR F-SOLVENTS**

F001-F005 SPENT SOLVENTS	CONCENTRATION (IN MG/L)	
	WASTEWATERS	OTHER WASTES
Acetone	0.05	0.59
N-butyl	5.0	5.0
Carbon disulfide	1.05	4.81
Carbon tetrachloride	.05	.96
Chlorobenzene	.15	.05
Cresols (and cresylic acid)	2.82	.75
Cyclohexanone	.125	.75
1,2-dichlorobenzene	.65	.125
Ethyl acetate	.05	.75
Ethyl benzene	.05	.053
Ethyl ether	.05	.75
Isobutanol	5.0	5.0
Methanol	.25	.75
Methylene chloride	.20	.96
Methylene chloride (from the pharmaceutical industry)	12.7	.96
Methyl ethyl ketone	0.05	.75
Methyl isobutyl ketone	0.05	.33
Nitrobenzene	0.66	0.125
Pyridine	1.12	0.33
Tetrachloroethylene	0.079	0.05
Toluene	1.12	0.33
1,1,1-Trichloroethane	1.05	0.41
1,2,2-Trichlor 1,2,2-trifluoroethane	1.05	0.96
Trichloroethylene	0.062	0.091
Trichlorofluoromethane	0.05	0.96
Xylene	0.05	0.15

REFERENCE NO. 8

~~File~~ 09-06-49

FILE: 09-06-49

Let's protect our earth



J.S.
F.T.2 share with C.F.
from F.L.
MFD

State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

DIVISION OF HAZARDOUS WASTE MANAGEMENT

Michele M. Putnam
Deputy Director

Hazardous Waste Operations

John J. Trela, Ph.D., Director
401 East State St.
CN 028
Trenton, N.J. 08625-0028
(609)633-1408

Lance R. Miller
Deputy Director

Responsible Party Remedial Action

SEP 26 1988

Mr. Klaus Meinssen
Vice President, Administration
Daniel Products Company
Division of Synres Chemical Corp.
400 Claremont Avenue
Jersey City, NJ 07304

Dear Mr. Meinssen:

RE: Delisting of Daniel Products Company, 400 Claremont Avenue, Jersey City, Hudson County, from Treatment, Storage and Disposal Status to Generator Only Status, EPA ID No. NJD 001 340 686, (NJ Project No. CP-87-16)

This is in reference to Daniel Products Company's (the facility) submittal dated July 22, 1988. This submittal includes written certification of closure of an indoor hazardous waste container storage area at the above referenced facility by the owner or operator and by an independent professional engineer, Mr. Fred Ellerbusch, New Jersey Professional Engineer, License Number 26302. These certifications document that all closure plan procedures have been carried out in accordance with the closure plan dated August 27, 1987, which was approved by the Bureau of Hazardous Waste Engineering (the Bureau) on October 7, 1987 and the acceptable decontamination level was amended by the Bureau on June 7, 1988. The closure plan was submitted by the facility for the purpose of delisting from treatment, storage and disposal (TSD) status to generator only status.

Based upon the review by the Bureau, affected state agencies and closure certification inspection performed on August 6, 1988 by a representative of the Department's Metro Bureau of Enforcement, the Bureau of Hazardous Waste Engineering accepts the closure certification for the facility's hazardous waste container storage area.

Daniel Products Company filed a Part A permit application on November 17, 1980 with the USEPA for S01 (storage of hazardous waste in containers) hazardous waste activity with a process design capacity of 1,100 gallons. On May 5, 1987, the facility requested delisting from TSD to Generator Only status.

SEP 26 1988

Based on the documentation of closure of this S01 activity as described above, Daniel Products Company's facility which is identified by the USEPA identification number

NJD 001 340 686

is excluded from permitting requirements as a hazardous waste treatment, storage or disposal facility under N.J.A.C. 7:26-1 et seq. subject to conduct of on-site generated hazardous waste container storage in accordance with N.J.A.C. 7:16-9.3(a) as follows:

- (a) All such waste is, within 90 days or less, shipped off-site to an authorized facility or placed in an on-site authorized facility, as defined at N.J.A.C. 7:26-1.4.
- (b) The waste is placed in containers which meet the standards of N.J.A.C. 7:26-7.2 and are managed in accordance with N.J.A.C. 7:26-9.4(d).
- (c) The date upon which each period of accumulation begins is clearly marked and visible for inspection on each container. While being accumulated on-site, each container shall be clearly labeled or marked with the words "Hazardous Waste" and labeled in accordance with 49 CFR 172.304.
- (d) The generator complies with the requirements for owners and operators of N.J.A.C. 7:26-9.6 and 9.7 concerning preparedness and prevention, contingency plans and emergency procedures as well as N.J.A.C. 7:26-9.4(g) concerning personnel training.

This written acknowledgement of the exclusion of the facility from the New Jersey Department of Environmental Protection's list of existing hazardous waste TSD facilities is based expressly on the review of the aforementioned correspondence and site inspection. This letter makes no claim as to the extent and physical conditions of the actual hazardous waste activities presently occurring at the site mentioned above.

As a result of this delisting, Daniel Products Company's closure bond, to meet TSD requirements for the S01 activity is no longer required and may be cancelled as per your request.

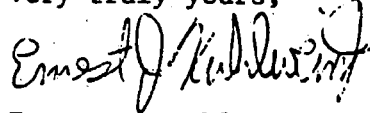
The issuance of this delisting letter by the Department does not indicate, or imply, and should not be construed as a waiver of any requirements pursuant to the New Jersey Water Pollution Control Act, N.J.S.A. 58:10A-1 et seq. If your facility is in any of the regulated categories identified in the above cited regulations, you are hereby directed to apply for any and all permits necessary within ninety (90) days to the Bureau of Ground Water Quality Management, CN 029, Trenton, New Jersey 08625. Applications may be obtained by calling (609) 292-0424.

SEP 26 1988

Daniel Products Company's facility is no longer included in DEP's list of existing facilities (see N.J.A.C. 7:26-1.4 and 12.3) and therefore does not need to conform with the interim operating requirements of N.J.A.C. 7:26-9 et seq. for "existing facilities", which would include the TSD facility annual report. It is the facility's responsibility to operate within the conditions listed above. To operate a hazardous waste facility without prior approval from the DEP is a violation of the Solid Waste Management Act N.J.S.A. 13:1 et seq.

If you have any questions, please call Paul Mander of my staff at (609) 292-9880.

Very truly yours,



Ernest J. Kuhlwein, Jr., Chief
Bureau of Hazardous Waste Engineering

EP43/abl

c: Barry Tornick, USEPA, Region II
Yacoub E. Yacoub, Chief, BME /

DOCUMENT: DANIEL1

FOLDER: LXMMCB

REFERENCE NO. 9

NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF HAZARDOUS WASTE MANAGEMENT
HAZARDOUS WASTE INSPECTION REPORT

DWM-029

GENERATOR INSPECTION REPORT

FACILITY INFORMATION

FACILITY NAME: Daniel Products
FILE NUMBER: 09-110-49
VHT FACILITY FILE NUMBER: _____
PERMIT #: _____
REGION: M
INSPECTION DATE: 5/23/90
INCIDENT/CASE NUMBER: _____
INSPECTION TYPE: Gen / Land Ban
RESPONSIBLE AGENCY CODE: S
INSPECTOR'S NAME: Jamie MacBlane
INSPECTOR'S AGENCY: NTDEP
INSPECTOR'S BUREAU: Metro Enforcement - HNM
EPA ID NUMBER: ND0013401086
ADDRESS: 400 Claremont Ave
Jersey City, NJ 07305
LOT: 12,14 BLOCK: 1774
COUNTY: Hudson
FACILITY PERSONNEL: Joe Viso - Group leader
Technical Services
TELEPHONE #: (201) 432-0800
OTHER STATE/EPA PERSONNEL: _____
REPORT PREPARED BY: Jamie A MacBlane
REVIEWED BY: A. Seelburg
DATE OF REVIEW: 6/29/90

MAY 29 1990 REC'D

REVISION: 3
01/88

TIME IN: _____

TIME OUT: _____

PHOTOS TAKEN ☐ YES ☒ NO

IF YES, HOW MANY? _____

SAMPLE TAKEN ☐ YES ☒ NO

NO. OF SAMPLES _____

NJDEP SAMPLE ID#: _____

MANIFESTS REVIEWED ☒ YES ☐ NO

Number of manifests in compliance _____

Number of manifests not in compliance 1

List manifest document numbers of those manifests not in compliance.

NJA 0842547

-A3-

SUMMARY OF FINDINGSFACILITY DESCRIPTION AND OPERATIONS (continued):

On 5/23/90, Daniel Products, 400 Claremont Ave, Jersey City, was the subject of a RCRA compliance inspection. The company was represented by Joe Viso and Eugene Tesch.

Daniel Products (DP) has been a manufacturer of pigment additives and dispersions for the coating industry since 1957. They currently operate with 76 employees at one shift.

Their process involves combining various components such as pigments, resins, solvents and wetting agents in a series of large pots or tanks. The mixture may also be placed in a grinding mill with pellets or pebbles to reduce particle size. Liquids are pumped directly from the storage tanks into the plant area. Both above and below ground tanks are used to store raw materials such as normal butanol, xylene, isopropyl alcohol, butyl cellosolve, etc (see attached printouts for additional information concerning size, content and permit numbers for tanks).

Pre-mixing of materials occurs in portable pots or tanks. These pots are washed with potassium hydroxide solution to remove residues. This washing is done in a room where the tank of the solution is stored.

-A3-

SUMMARY OF FINDINGSFACILITY DESCRIPTION AND OPERATIONS (continued):

A drain in the floor catches washings and pipes the solution back into the tank. When the solution is spent, the disposal company pumps the waste directly into a tank hawer.

The main mixing tanks are both "washed" and "rinsed" after each batch. The wash uses the same solvent that is part of the dispersion. The wash liquid is saved and used in the next batch with the same constituents. The rinse is butyl cellosolve which is reused after many batches until it is saturated.

Air filters throughout the plant collect dust created from the pigment powders. These filters are emptied and the waste disposed of as hazardous due to lead and Chromium content.

Activated Carbon filters absorb solvent vapors in key areas around the plant. When saturated, the carbon is manifested as hazardous waste.

Floor washings or spilled material collects in 3 containment separators. These are cleaned as necessary.

The grinding mills are cooled by water, either within a jacket around the mill or sprayed onto the outside of the mill. This water along with "water" from

-A3-

SUMMARY OF FINDINGSFACILITY DESCRIPTION AND OPERATIONS (continued):

the containment separators is sent to the sewer under a permit from the Passaic Valley Sewerage Commission #31406514.

* Approx. 5 gals
per month

* A small amount of waste oil is generated by the maintenance dept. Recently, oil was picked up by Mercury Oil Recovery, without a manifest, as though DP were a small quantity generator. An NOV was issued for this violation.

Paperwork and container management were in compliance with state regulations. Land Ban notices however, were not on file for all appropriate manifests even though, according to Joe Viso, the notices are sent with every shipment.

-B-

Describe the activities that result in the generation of hazardous waste.

Tank rinses - D001

Alkaline pot wash - D002

Dust collectors - D007/D008 -1-

Spent activated carbon - F003

Identify the hazardous waste located on site, and estimate the approximate quantities of each. (Identify Waste Codes)

5 - 55 gal D001

1 " D007/D008

1 " D008

8 " Off spec product - D001

GENERAL

GENERAL CHECKLIST

YES NO N/A

7:26-7.4(a)1

Does the Generator have an EPA ID number?

✓ — —

HAZARDOUS WASTE DETERMINATION

7:26-8.5(a)

Did the generator test its waste to determine whether it is hazardous?

✓ — —

7:26-8.5(b)

Did the generator determine the hazardous characteristics based upon knowledge of process?

✓ — —

Is the waste hazardous?

✓ — —

7:26-8.5(d)

Were test results, waste analysis, or other determinations made in accordance with this section kept for three years from the date that the waste was last sent to an on-site or off-site TSF?

✓ — —

MANIFESTS

7:26-7.4(a)4

Does each manifest have the following information? Please circle the elements missing and obtain a copy of the incomplete manifests. (List those manifests that are deficient on G-1).

— — —

7:26-7.4(a)4i

The generator's name, address and phone number.

✓ — —

7:26-7.4(a)4ii

The generator's EPA ID number.

✓ — —

7:26-7.4(a)4iii

The hauler(s) name, address phone number and NJ registration.

✓ — —

7:26-7.4(a)4iv

The hauler(s) EPA ID number.

✓ — —

7:26-7.4(a)4v

The name, address and phone number of the designated TSD facility.

✓ — —

7:26-7.4(a)4vi

The TSF's EPA ID number.

✓ — —

7:26-7.4(a)4v

The name, address and phone number of the designated TSD facility.

✓ — —

7:26-7.4(a)4vii

The name, type and quantity of hazardous waste being shipped, including such particulars as may be required regarding same?

✓ — —

7:26-7.4(a)4viii

Special handling instructions and any other information required on the form to be shipped by generator?

✓ — —

		YES	NO	N/A
7:26-7.4(3)	Did the generator describe all N.O.S. wastes in Section J?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7:26-7.4(a)ix	When shipping hazardous waste to a waste reuse facility does the generator enter the waste reuse facility I.D. # in the section G of the Uniform Manifest?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7:26-7.4(a)5	Before allowing the manifested waste to leave the generator's property, did the generator:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7:26-7.4(a)5i	Sign the manifest certification by hand?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7:26-7.4(a)5ii	Obtain the handwritten signature of the initial transporter and date of acceptance on the manifest?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7:26-7.4(a)5iii	Retain one copy and forward one copy to the state of origin and one copy to the state of destination?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7:26-7.4(a)5iv	Provide the required numbers of copies for: generator, each hauler, owner/operator of the designated facility, as well as one copy returned to the generator by the facility owner/operator?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7:26-7.4(a)5v	Give the remaining copies of the manifest form to the hauler?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7:26-7.4(f)	Has the generator maintained facility records for three (3) years? (Manifest(s), exception report(s) and waste analysis)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7:26-7.4(h)1	Has the generator received signed copies of portion B (from the TSD facility) of all manifests for waste shipped off site more than 35 days ago?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7:26-7.4(h)1	If not: Did the generator contact the hauler and/or the owner or operator of the TSD and the NJDEP at (609) 292-8341 to inform the NJDEP of the situation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7:26-7.4(h)2	Have exception reports been submitted to the Department covering any of these shipments made more than 45 days ago?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

7:26-9.3

Accumulation Time

How is waste accumulated on site?

- ☒ Containers
☐ Tanks (greater than 90 days)
 (complete HWMF (TSD) Facility Checklist) ←
☐ Tanks (less than 90 days)
☐ Above ground
☐ Below ground
☐ Surface impoundments
 (complete HWMF (TSD) Facility Checklist)
☐ Piles (complete HWMF checklist)

YES NO N/A

7:26-9.3(a)1

Is waste accumulated for more than
90 days?
 YES NO N/A
 — — / —

STOP HERE IF THE HAZARDOUS WASTE MANAGEMENT FACILITY (TSF) CHECKLIST IS
FILLED OUT.

Short term accumulation standards for generators who accumulate waste in containers and tanks for 90 days or less:

<u>Containers</u>		<u>YES</u>	<u>NO</u>	<u>N/A</u>
7:26-9.4	What type of containers are used for storage. Describe size, type, quantity, and nature of waste (e.g. 12 fifty-five gallon drums of waste acetone). <i>55 gal drums</i>	—	—	—
7:26-9.4(d)2	Do the containers appear to be in good condition, not in danger of leaking?	✓	—	—
	If no, describe the problem (include number of containers involved.)			
7:26-9.4(d)41	Are all containers securely closed except those in use?	✓	—	—
7:26-9.4(d)4111	Do the containers appear to be properly handled or stored in a manner which will minimize the risk of the container rupturing and/or leaking?	✓	—	—
7:26-9.4(d)41v	Are containerized hazardous wastes segregated in storage by waste type?	✓	—	—
7:26-9.4(d)4v	Is every container arranged so that its identification label is visible?	✓	—	—
7:26-9.4(d)5	Is the container storage area inspected at least daily?	✓	—	—
7:26-9.4(d)6	Are containers holding ignitable and reactive wastes located at least 50 (fifty) feet (15 meters) from the facilities property line?	✓	—	—
7:26-7.2(a)	Did the owner/operator conspicuously label appropriate manifest number on all hazardous waste containers that are intended for shipment?	✓	—	—
7:26-9.3(a)3	Is each container clearly dated with each period of accumulation so as to be visible for inspection?	✓	—	—

YES NO N/A

7:26-7.2(b)

Did the owner/operator insure that all containers used to transport hazardous waste off site are in conformance with applicable DOT regulations? (49CFR 171, 179)

✓ — —

Tanks (Less than 90 day storage)

7:26-9.3(b)

Does the generator accumulate hazardous waste on-site in an above ground tank?

— ✓ —

If yes, describe the tank(s):

- 1) Capacity _____
- 2) Shell thickness _____
- 3) Material Construction _____
- 4) Age of tank _____

7:26-9.3(b)

Does the generator have written approval from the Department to store hazardous waste(s) in this tank(s) for ninety days or less?

— — —

7:26-9.3(b)1

Does each tank(s) have sufficient shell thickness to ensure the tank will not collapse or rupture as specified by the Department?

— — —

7:26-9.3(b)4

Is the tank(s) designed so that at least 99% of the volume of each of the tanks can be emptied by direct pumping or drainage?

— — —

7:26-9.3(b)5

Is each tank(s) rendered empty (1% or less remaining) every 90 days or less?

— — —

7:26-9.3(b)6

Are all wastes removed from the tank(s) shipped off-site to an authorized facility or placed in an on-site, authorized facility?

— — —

7:26-9.3(b)8

If part of the tank is below grade, is it constructed to allow visual inspection of the tank, comparable to a totally above-ground tank and is secondary containment provided for the below grade part?

— — —

7:26-10.5(c)1

Are materials which are incompatible with the material of construction of the tank(s) placed in the tank(s)?

— — —

7:26-10.5(c)2

Does the generator use appropriate controls and practices to prevent overfilling?

— — —

		<u>YES</u>	<u>NO</u>	<u>N/A</u>
7:26-10.5(c)211	For uncovered tanks, is there sufficient (two feet or acceptable documentation) freeboard to prevent overtopping by wave or wind action by or precipitation?	—	—	—
7:26-9.3(b)3	Does each tank(s) or storage tank area have secondary containment?	—	—	—
7:26-10.5(d)1	Is the containment system capable of collecting and holding spills, leaks, and precipitation?	—	—	—
7:26-10.5(d)11	Is the base underlying the tank(s) free from cracks, gaps, and sufficiently impervious to contain leaks, spills, and accumulated rainfall until the collected material is detected and removed?	—	—	—
7:26-10.5(d)11	Does the containment system consist of material compatible with the wastes being stored?	—	—	—
7:26-10.5(d)111	Is the containment system sloped or otherwise designed to efficiently drain and remove liquids resulting from leaks, spills and precipitation?	—	—	—
7:26-10.5(d)111	Is the tank protected from contact with accumulated liquids?	—	—	—
7:26-10.5(d)1v	Does the containment system have sufficient capacity to contain ten percent of the volume of all tanks or the volume of the largest tanks whichever is greater?	—	—	—
7:26-10.5(d)2	Is run-on into the containment area prevented?	—	—	—
	If not, explain.	—	—	—
7:26-10.5(d)3	Is precipitation removed from the pump or collection area in a timely manner to prevent blockage or overflow of the collection system?	—	—	—
7:26-10.5(d)4	Is spilled or leaked waste removed from the pump or collection area daily?	—	—	—

YES NO N/A

- 7:26-10.5(d)41 If the collected material is hazardous waste under NJAC 7:26-8, it is managed as a hazardous waste in accordance with all applicable requirements of this chapter? ☒ ☐ ☐
- 7:26-9.4(g)4 Personnel Training
- Have facility personnel successfully completed a program of classroom instruction or on-the-job training since six months after the date of their employment or assignment to the facility or to a new position at the facility? ☒ ☐ ☐
- 7:26-9.4(g)5 Has facility personnel taken part in an annual review of initial training? ☒ ☐ ☐
- 7:26-9.4(g)2 Is the program directed by a person trained in hazardous waste management procedures and does it include instruction which teaches facility personnel hazardous waste management procedures (including contingency plan to implementation) relevant to the positions in which they are employed? ☒ ☐ ☐
- Is there written documentation of the following:
- 7:26-9.4(g)61 Job title for each position at the facility related to hazardous waste management, and the name of the employee filling each job? ☒ ☐ ☐
- 7:26-9.4(g)611 A written job description for each position related to hazardous waste management? ☒ ☐ ☐
- 7:26-9.4(g)6111 A written job description on the type and amount of both introductory and continuing training that has been and will be given to personnel in jobs related to hazardous waste management? ☒ ☐ ☐
- 7:26-9.4(g)61v Documentation of actual training or experience received by personnel? ☒ ☐ ☐
- 7:26-9.4(g)7 Are training records kept on all current employees until closure of the facility and training records kept on former employees for three years from their last date of employment? ☒ ☐ ☐

YES NO N/A

7:26-9.6

Preparedness and prevention

Does the facility comply with preparedness and prevention requirements including maintaining:

7:26-9.6(b)1

An internal communications or alarm system?

✓ — —

7:26-9.6(b)2

A telephone or other device to summon emergency assistance from local authorities?

✓ — —

7:26-9.6(b)3

Portable fire equipment, spill control equipment, and decontamination equipment?

✓ — —

7:26-9.6(b)4

Water at adequate volume and pressure to supply water hose streams, or foam producing equipment, or automatic sprinklers, or water spray system?

✓ — —

7:26-9.6(c)

Is equipment tested and maintained?

✓ — —

7:26-9.6(d)1

Is there immediate access to communications or alarm systems during systems during handling of hazardous waste?

✓ — —

7:26-9.6(e)

Adequate aisle space (18") to allow unobstructed movement of personnel fire protection equipment, spill control equipment and decontamination equipment?

✓ — —

If no, please explain.

In your opinion, do the types of waste on site require all of the above procedures, or are some not required?

✓ — —

Explain.

7:26-9.6(f)

Has the facility made the following arrangements, as appropriate for the type waste handled on site:

— — —

7:26-9.6(f)1

Familiarize police, fire departments and emergency response teams with the layout of the facility and hazardous waste handled - associated hazardous places where facility personnel would normally be working, entrances and roads inside facility and possible evacuation routes.

✓ — —

YES NO N/A

- 7:26-9.6(f)2 Where more than one police and fire department might respond to an emergency, is there an agreement designating primary emergency authority to a specific police or fire department, and agreements with any others to provide support to the primary emergency authority? ☐ ☐ ☒
- 7:26-9.6(f)3 Agreements with emergency response contractors, and equipment supplies? ☒ ☐ ☐
- 7:26-9.6(f)4 Arrangements to familiarize local hospitals with the properties of hazardous waste handled at the facility and the types of injuries or illnesses which could result from fires, explosion, or discharges at the facility? ☒ ☐ ☐
- 7:26-9.6(f)5 Arrangement with local fire departments to inspect the facility on a regular basis with at least two (2) inspections annually? ☒ ☐ ☐
- 7:26-9.6(f)6 If authorities identified in (f)1 through 5, above decline to enter into such arrangements, has the owner, or operator documented this refusal in the operating record. ☐ ☐ ☒
- 7:26-9.4(g)8 Are semi-annual drills conducted involving all employees and appropriate local authorities to test emergency response capabilities at the facility in accordance with the contingency plan and emergency procedures development pursuant to NJAC 7.26-9.7? ☒ ☐ ☐
- 7:26-9.4(g)81 If no, did the owner or operator petition the Department for an exemption from the semi annual drills requirement? ☐ ☐ ☒
- 7:26-9.4(g)811 Did the owner or operator petition the Department for an exemption excluding some or all local officials in the semi annual drill requirements? ☐ ☐ ☒
- If yes, did the owner operator provide those specific local officials with written approval of the exemption? ☐ ☐ ☒

YES NO N/A

- 7:26-9.7 Contingency Plan and Emergency Procedures
- 7:26-9.7(a) Does the facility have a written contingency plan for emergency procedures designed to deal with fires, explosions, hazards to human health or environment, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents into air, soil or surface water? ☒
- 7:26-9.7(b) Are provisions of the plan carried out immediately whenever there is a fire, explosion, or release of hazardous waste or hazardous waste constituents which could threaten human health or the environment? *Never needed* ☐
- 7:26-9.7(c) Does the contingency plan describes the actions facility personnel shall take in response to fires, explosions, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water at the facility? ☒
- 7:26-9.7(d) Did the owner or operator prepare a Spill Prevention, Control, and Countermeasures (SPCC) Plan in accordance with 40 CFR 112 or 300 or a Discharge Prevention Containment and Countermeasure (DPCC) Plan in accordance with N.J.A.C. 7:1E-4.1 at seq. ☒
- If yes, did the owner or operator amend that plan to incorporate hazardous waste management provisions that are sufficient to comply with the requirements of this section? ☒
- 7:26-9.7(e) Does the plan describe arrangements agreed to by local police departments, fire departments, hospitals, contractors, and State and local emergency response teams to coordinate emergency services? ☒

YES NO N/A

7:26-9.7(f)

Does the plan list names, addresses, and phone numbers (office and home) of all persons qualified to act as emergency coordinator and is this list kept up to date? Where more than one person is listed, one shall be named as primary emergency coordinator and others shall be listed in the order in which they will assume responsibility as alternates?

☒ _ _ _

7:26-9.7(g)

Does the plan include a list of all emergency equipment at the facility (such as fire extinguishing systems, spill control equipment, communications and alarm systems (internal and external) and decontamination equipment), where this equipment is required? Is the list up-to-date? In addition, does the plan include the location and physical description of each item on the list, and a brief outline of its capabilities?

☒ _ _ _

7:26-9.7(h)

Does the plan include an evacuation procedure for facility personnel where there is a possibility that evacuation could be necessary? Does this plan describe signal(s) to be used to begin evacuation, evacuation routes, and alternative evacuation routes (in case where the primary routes could be blocked by releases of hazardous waste or fires)?

☒ _ _ _

7:26-9.7(i)

Is a copy of the contingency plan and all revisions to the plan:

1. Maintained at the facility;
2. Has the contingency plan been submitted to local authorities (police fire departments, emergency response teams)?

☒ _ _ _☒ _ _ _

7:26-9.7(k)

Is there an employee on site or on call at all times with the responsibility of coordinating all emergency response measures?

☒ _ _ _

Inspector: J. MacBlane
Address: 2 Babcock Place
West Orange, NJ
Telephone No: 201 669-394

RCRA LAND DISPOSAL RESTRICTION
GENERATOR CHECKLIST

I. HANDLER IDENTIFICATION

A. Handler Name Daniel Products B. Street (or other Ident): 400 Claremont Ave
C. City Jersey City D. State NJ E. Zip Code 07305 F. County Hudson
G. Nature of Business, Identification of Operations: SIC Code(s) Compound Pigments for Coating Industry
H. EPA ID # NJD001340680
I. Handler Contact: (Name and Phone Number) Joe Viso (201) 432-0800

II. GENERATOR COMPLIANCE

Comments

A. Waste Identification

1. F-Solvents

a. Does the handler generate the following wastes?

(1) P001, P002, P004, or P005 Yes ☒ No

(11) P003 ☒ Yes No

If an P003 wastestream (listed solely for ignitability) has been mixed with a non-restricted solid or hazardous waste, does the resultant mixture exhibit the ignitability characteristic? Yes ☒ No

b. Source of the above: Form 8700-12 ; Part A ; Part B ; Biennial/Annual Reports
other (specify) manifests

5/23/90

Appendix A is intended to assist the inspector and enforcement official in determining whether the facility is generating P-solvent wastes, if such wastes were not identified by the facility previously. If you are concerned that P-solvent wastes may be misclassified or mislabeled, turn to Appendix A-1. To assist in identifying potentially

Handler Name: Daniel Prode
ID Number: NID0013406
Inspector: MacBiane
Date: _____

Comments

misclassified P-solvents. Appendix A-2 presents a list of
corresponding P and U wastes. Note concerns below:

2. Dioxin wastes

- a. Does the handler report the generation of the following wastes? (The following industries may generate listed dioxin wastes: organic chemicals, pesticide or formulator.)

(1) F020 - F023, F026 - F027 ☐ Yes ☒ No
(11) F028 ☐ Yes ☒ No

[P-solvent SDLT standards are presented as Appendix B]

3. California Waste Identification

- a. Does the facility handle any of the following wastes?

(1) D002 ☐ Yes ☐ No
(11) D004 - D011 D007, D008 ☒ Yes ☐ No

- b. Does the generator handle any hazardous wastes characterized by high concentrations of halogenated organic constituents (HOCs), metals, or cyanides?

☒ Yes ☐ No

[California waste standards are presented as Appendix C] Lead, Chromium

- c. Is the generator handling any of the F, K, P, or U wastes subject to the "soft hammer" that may qualify as California wastes due to HOC, metals, or cyanide content? See Appendix D for a listing of California constituents likely to be found by waste code.

☐ Yes ☒ No

- d. Has the generator conducted the paint filter test (Method 9095) [§268.32(1)]?

☐ Yes ☒ No*

- e. Has the generator conducted any testing of these hazardous wastes to determine whether the concentrations qualify the hazardous wastes as California wastes?

☒ Yes ☐ No

If no, has the generator retained records documenting his "applied knowledge" that the hazardous waste is not a California waste?

☐ Yes ☐ No NA

2. A potential violation is indicated

Handler Name: _____
ID Number: _____
Inspector: _____
Date: _____

Comm

If "no" is answered to both parts of this question, a violation is indicated. [§268.7(a)] **NA**

Describe the nature of the records:

f. Source of the above: Form 8700-12 _____; Part A _____; Part B _____; Biennial/Annual Report _____; other (specify) manifests, waste profiles

4. First Third Waste Identification

a. Does the generator handle any of the wastes listed as First Third Wastes in §268.10? See Appendix E for listing. List First Third Wastes handled by the generator here:

NO

b. Does the generator handle any soft-hammer wastes (Appendices D-1, D-2, and F)? If so, list those wastes:

NO

c. Are any of the soft-hammered wastes California wastes (see Appendix G)? Yes No **NA**
If yes, the wastes must meet BDAT standards prior to disposal.

d. Has the Regional Administrator received demonstrations/certifications for all soft hammered wastes to be land disposed [§268.8(a)(2)]? Yes No **NA**

e. Source of the above: Form 8700-12 _____; Part A _____; Part B _____; Biennial/Annual Report ✓; other (specify) manifests

B. BDAT Treatability Group - Treatment Standards Identification

1. Does the generator mix restricted wastes with different treatment standards for constituents of concern? Yes ✓ **No**

2. If yes, did the generator select the most stringent treatment standard for the constituent of concern [§268.41(b)]? Yes No **No***

2/ A potential violation is indicated

Handler Name: _____
ID Number: _____
Inspector: _____
Date: _____

Comments

3. P Solvents -

- a. Did the generator correctly determine the appropriate treatability group [§268.41] of the waste (e.g., wastewaters containing solvents, nonwastewater (i.e., < 1% TOC), pharmaceutical wastewaters containing spent methylene chloride, all other spent solvent wastes)?
☒ Yes ☐ No*

4. California Wastes

- a. Did the generator correctly determine the distinction between liquid hazardous wastes and non-liquid hazardous wastes that contain HOCs in concentrations greater than 1,000 mg/kg [§268.32(h)]?
☒ Yes ☐ No*

5. First Third Wastes

- a. Did the generator ascertain whether restricted wastes were appropriately assigned wastewater or nonwastewater designations (nonwastewaters are > 1% TOC and > 1% suspended solids) [§268.7(a)]?
☐ Yes ☐ No* NA

- b. Does the facility handle K061 wastes?
☐ Yes ☒ No

If yes, were nonwastewaters appropriately classified in either the high or low zinc subcategories (≥15% Zn) [§268.7(a)] [§268.41(a)]?
☐ Yes ☐ No*

- c. Does the facility handle K101 or K102 wastes?
☐ Yes ☒ No

If yes, were nonwastewaters appropriately classified in either the high or low arsenic subcategories [§268.7(a)] [§268.41(a)]?
☐ Yes ☐ No* NA

- d. Is there any reason to believe that the generator may have diluted the waste to change the applicable treatment standard (based on review of process operation, pipe routing, point of sampling)?
☐ Yes ☐ No

2. A potential violation is indicated

Handler Name: _____
ID Number: _____
Inspector: _____
Date: _____

Comments

C. Waste Analysis

1. Did the generator determine whether the waste exceeds treatment standards based on §268.7(a):

a. Knowledge of wastes ☐ Yes ☐ No

(1) List wastes for which "applied knowledge" was used:

b. TCLP ☐ Yes ☐ No

(1) List wastes for which "TCLP" was used:

(11) Appendix D lists wastes for which treatment standards are expressed as concentrations in waste extract. Were any wastes handled by the generator subject to waste extract standards not tested using the TCLP? ☐ Yes ☐ No

If yes, list: _____

c. Total waste analysis ☒ Yes ☐ No

d. If files were retained, describe content and basis of applied knowledge determination:

If determined by TCLP or total constituent analysis, provide date of last test, frequency of testing, and attach test results.

Dates/frequency: _____

Note which wastes were subjected to which tests:

Note any problems (e.g., inadequate analysis, variation of waste composition/generation for applied knowledge) _____

waste profiles
show lead, chromium
content

2/ A potential violation is indicated

GEN-5

Handler Name: _____
ID Number: _____
Inspector: _____
Date: _____

Comments

- e. Were wastes tested using TCLP or total constituent analysis when a process or wastestream changed [§264.13(a)(3)(i) or §265.13(a)(3)(i)]? NA
____ Yes ____ No

2. Did the restricted wastes exceed applicable treatability group treatment standards upon generation [§268.7(a)(1)]?

List those that exceeded standards: DD07, DD08

List those that did not exceed standards: _____

3. Did the generator dilute the waste or the treatment residual so as to substitute for adequate treatment [§268.3]
____ Yes* ____ No

D. Management

1. Onsite management

- a. Were restricted wastes managed onsite?
____ Yes ____ ☒ No

If no, go to "2".

- b. For wastes that exceed treatment standards, was treatment in regulated units, storage for greater than 90 days, and/or disposal conducted?
____ Yes ____ No

If yes, TSDP checklist must be completed.

2. Offsite Management

- a. If restricted wastes exceed treatment standards, did generator provide treatment facility notification with each shipment? [268.7(a)(1)]:

(i) EPA Hazardous Waste Number? ☒ Yes ____ No*

(ii) Corresponding treatment standard? ☒ Yes ____ No*

(iii) Manifest number? ☒ Yes ____ No*

(iv) Waste analysis, if available? ☒ Yes ____ No

Notices were not
kept on file
for all manifests
requiring them

Handler Name: _____
ID Number: _____
Inspector: _____
Date: _____

Comments

Identify offsite treatment facilities

Scm Waste, Inc. S. Kearny NJ 07032

b. If restricted wastes do not exceed treatment standards, did generator provide the disposal facility with a notice and certification including:

(i) EPA hazardous waste I.D. number? ☐ Yes ☒ No*

(ii) Corresponding treatment standard? ☐ Yes ☒ No*

(iii) Manifest number ☐ Yes ☒ No*

(iii) Certification regarding waste and that it meets treatment standards? ☐ Yes ☒ No*

NA

Identify land disposal facilities receiving the BDAT certified wastes

c. If the generator's waste is subject to a §268.5 case by case exemption, a §268.6 "no migration" exemption, or a nationwide variance (see Appendix E for restricted wastes subject to nationwide variances), does the generator's records indicate that he or she submits with each waste shipment [§268.7(a)(3)]:

NA

(i) EPA Hazardous Waste Number? ☐ Yes ☒ No*

(ii) Corresponding Treatment Standards? ☐ Yes ☒ No*

(iii) All applicable prohibitions? ☐ Yes ☒ No*

(iv) The manifest number? ☐ Yes ☒ No*

(v) The date the wastes are subject to prohibitions? ☐ Yes ☒ No*

(vi) Does generator keep records of all notifications/certifications sent to offsite facilities? ☐ Yes ☒ No*

2. A potential violation is indicated

GEN-7

Handler Name: Daniel Prodi
ID Number: _____
Inspector: J. MacBiane
Date: _____

Comments

List all prohibited wastes for which records are not provided per above [§268.7(a)(b)]:

NA

Identify TSDFs receiving any prohibited wastes subject to any exemptions and variances:

- d. If handler generates a "soft hammer" waste, does the generator send with each "soft hammer" waste shipment to a TSDF and retain copies of, a notice that includes [268.7(a)(4)]:

NA

The EPA Hazardous Waste Number? ☐ Yes ☐ No*

Applicable prohibitions? ☐ Yes ☐ No*

The manifest number? ☐ Yes ☐ No*

Waste analysis data, where available? ☐ Yes ☐ No

- (i) Do the generator's records indicate that any soft-hammer wastes are destined for disposal in a landfill or surface impoundment [§268.33(f)]? ☐ Yes ☐ No

If yes, list facility of destination and waste of concern [§268.8(a)(2)]:

- (ii) Has the generator submitted demonstrations and certifications for each "soft-hammered" waste destined to be disposed in landfill or surface impoundment to the Regional Administrator prior to the shipment of waste to the TSDF [§268.7(a)(2)]? ☐ Yes ☐ No*

- (iii) Has the generator retained a copy of the demonstration on site [§268.8(a)(3)-(a)(4)]? ☐ Yes ☐ No*

- (iv) Has the generator retained copies of all §268.8 certifications sent to the TSDF [§268.7(a)(6)]? ☐ Yes ☐ No*

- A potential violation is indicated

Handler Name: _____
ID Number: _____
Inspector: _____
Date: _____

Comments

(v) Did the generator submit the demonstration to the receiving facility upon the initial shipment of the waste [§268.8(a)(3)-(a)(4)]? ☐ Yes ☐ No*

(vi) If the Regional Administrator has invalidated the certification, has the generator ceased shipment of the waste and do records indicate that the generator has informed all receiving facilities of the invalidation [§268.8(b)(3)]? ☐ Yes ☐ No*

NA

E. Storage of Prohibited Waste

1. Were prohibited wastes stored for greater than 90 days? ☐ Yes ☒ No

If yes, was facility operating as a TSD under interim status or final permit [§262.34(b)]? ☐ Yes ☐ No

If yes, TSDP Checklist must be completed.

F. Treatment Using RCRA 264/265 Exempt Units or Processes (i.e., boilers, furnaces, distillation units, waste-water treatment tanks, etc.)

1. Were treatment residuals generated from RCRA 264/265 exempt units or processes? ☐ Yes ☒ No

If yes, list type of treatment unit and processes

If yes, TSDP checklist must be completed.

✓ A potential violation is indicated

APPENDIX A

SOLVENT IDENTIFICATION CHECKLIST

1. Does the handler generate any of the following F001 constituents (i.e., spent halogenated solvents used in degreasing) as a result of being used in the process either in pure form or commercial grade?

tetrachloroethylene	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
trichloroethylene	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
methylene chloride	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
1,1,1-trichloroethane	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
carbon tetrachloride	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
chlorinated fluorocarbons	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

2. Does the handler generate any of the following F002 constituents (i.e., spent halogenated solvents) as a result of being used in the process either in pure form or commercial grade?

tetrachloroethylene	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
trichloroethylene	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
methylene chloride	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
1,1,1-trichloroethane	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
chlorobenzene	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
trichlorofluoromethane	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
1,1,2-trichloro-1,2,2-trifluoroethane	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
ortho-dichlorobenzene	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

3. Does the handler generate any of the following F003 constituents (i.e., spent nonhalogenated solvents) as a result of being used in the process either in pure form or commercial grade?

xylene	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
acetone	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
ethyl acetate	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
ethyl benzene	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
ethyl ether	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
methyl isobutyl ketone	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
n-butyl alcohol	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
cyclohexanone	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
methanol	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

If the F003 waste stream has been mixed with a solid waste, does the resultant mixture exhibit the ignitability characteristic?

☐ Yes ☒ No

4. Does the handler generate any of the following F004 constituents (i.e., spent nonhalogenated solvents) as a result of being used in the process either in pure form or commercial grade?

cresols and cresylic acid
nitrobenzene

☐ Yes ☒ No
☐ Yes ☒ No

5. Does the handler generate any of the following F005 constituents (i.e., spent nonhalogenated solvents) as a result of being used in the process either in pure form or commercial grade?

toluene
methyl ethyl ketone
carbon disulfide
isobutanol
pyridine

☐ Yes ☒ No
☐ Yes ☒ No
☐ Yes ☒ No
☐ Yes ☒ No
☐ Yes ☒ No

6. Are any of the constituents listed in questions 1 through 5 used for their "solvent" properties -- that is to solubilize (dissolve) or mobilize other constituents? The following questions will be helpful in confirming this determination.

- (a) Are the constituents used as chemical carriers?

☐ Yes ☒ No

If yes, list the constituents.

- (b) Are the constituents used for degreasing/cleaning?

☐ Yes ☒ No

If yes, list the constituents.

- (c) Are the constituents used as diluents?

☒ Yes ☐ No

If yes, list the constituents.

xylene and n-butyl alcohol are used as diluents
and are absorbed (vapors) by carbon filters

- (d) Are the constituents used as extractants?

☐ Yes ☒ No

If yes, list the constituents.

(c) Are the constituents used for fabric scouring?

___ Yes ☒ No

If yes, list the constituents.

(f) Are the constituents used as reaction and synthesis media?

___ Yes ☒ No

If yes, list the constituents.

If the responses to questions 1 through 6 led the inspector to believe that the waste may be an F-solvent, answer question 7.

7. Are any of the above constituents spent solvents? (A solvent is considered "spent" when it has been used and is no longer usable without being regenerated, reclaimed, or otherwise reprocessed.) ___ Yes ___ No
8. If the waste is a mixture of constituents as determined in questions 1 through 6, give the concentration before use of all the constituents in the solvent mixture/blend. For example:

5%	methylene chloride
2%	trichloroethylene
25%	1,1,1-trichloroethane
<u>68%</u>	mineral spirits
100%	

If the waste stream is a mixture containing a total of 10% or more (by volume) of one or more of the F001, F002, F004, or F005 listed constituents before use, it is a listed waste.

With respect to the F003 solvent wastes, if, before use, the waste stream is mixed and contains only F003 constituents, it is a listed waste. For example:

33%	acetone
16%	methanol
<u>51%</u>	ethyl ether
100%	

If the waste stream is a mixture containing F003 constituents and a total of 10% or more of one or more of the F001, F002, F004, and F005 listed constituents before use, it is a listed waste. For example:

50%	xylene (F003)
12%	TCE (F001)
<u>38%</u>	mineral spirits
100%	

If in light of the above, the handler appears to be generating F001 - F005 hazardous wastes, refer this facility to the enforcement official for followup actions verifying the use of solvents at the facility.

REFERENCE NO. 10

DISPERSIONS & SPECIALTY ADJUTIVES

DANIEL PRODUCTS COMPANY



Division of SYNRES CHEMICAL CORP.

400 CLAREMONT AVENUE, JERSEY CITY, NEW JERSEY 07304, USA

VIA CERTIFIED MAIL: RETURN RECEIPT REQ.

May 30, 1990

Ms. Jamie McBlane
NJ Department of
Environmental Protection
Division of Hazardous
Waste Management
Bureau of Field Operations
2 Babcock Place
West Orange, New Jersey 07052

MAY 31 1990

Re: Manifest #NJA0842547

Dear Ms. McBlane:

As a result of your visit to our company on May 23, 1990, you left with us a "Notice of Violation" described as "7.4(a)4i Incorrect generator listed on Manifest #NJA0842547." Herein we notify you of our reaction and remedial action thereto.

There was an initial misunderstanding between Mercury Oil Recovery (erroneously listed on the Manifest as "generator") and Daniel Products Company (the actual generator). Mercury incorrectly prepared the Manifest and the error was not caught at Daniel Products Company.

An additional checkpoint has now been instituted for all Hazardous Waste Manifests prior to shipment of the material. Effective immediately, this step will provide for other designated individuals to review all manifests at specified points. These reviews and any subsequent action will be documented and become part of our records.

We trust that the above actions will ensure that such violation will not reoccur. If these steps are not satisfactory to the DEP or, if you feel there is need to discuss this further, please do not hesitate to contact us.

Very truly yours,

Joseph Viso
Group Leader
Technical Services

JV/lv

cc: D Kelemen, R Maldonado,
K Meinssen, A Nevin,
R Pineiro, E Tesch

REFERENCE NO. 11



State of New Jersey

**DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF HAZARDOUS WASTE MANAGEMENT**

Metro Regional Office

2 Babcock Place, West Orange, NJ. 07052

(201) 69-3960

COPY

John J. Trela, Ph.D., Director

June 4, 1990

**Joe Viso, Group Leader
Technical Services
Daniel Products
400 Claremont Avenue
Jersey City, NJ 07305**

Dear Mr. Viso:

In reviewing the case of Daniel Products, it was realized that an incorrect citation was issued on the Notice of Violation dated 5/23/90. The original citation, N.J.A.C. 7:26-7.4(a)4i, was "Incorrect generator listed on manifest #NJA0842547". Due to the fact that the waste oil in question left your facility without a hazardous waste manifest, a more accurate description of the violation would be "Offering hazardous waste for disposal without a manifest - N.J.A.C. 7:26-7.4(a)3". Please note that the original citation is recinded. I apologize for any inconvenience that this error may have caused you. Thank you for your cooperation.

Sincerely,

Jamie A MacBlane

**Jamie A. MacBlane
Environmental Specialist**

REFERENCE NO. 12

4M-012-91

09-06-49

Let's protect our earth



State of New Jersey
DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF HAZARDOUS WASTE MANAGEMENT

CN 028
Trenton, N.J. 08625-0028
(609) 633-1408
Fax # (609) 633-1454

02 OCT 1990

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Daniel Products Company
400 Claremont Avenue
Jersey City, NJ 07305

ATTENTION: Joseph Viso

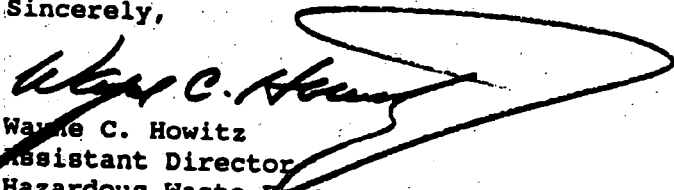
Dear Mr. Viso:

There is enclosed for service upon you a **NOTICE OF CIVIL ADMINISTRATIVE PENALTY ASSESSMENT** issued by the New Jersey Department of Environmental Protection pursuant to the provisions of the Solid Waste Management Act.

The Department is available to meet with the principals of the case to discuss the enclosed enforcement document. Should you desire such a meeting please contact Judith G. Bayard within 20 calendar days of receipt of this letter. This does not affect the time frame within which you may request an administrative hearing, under the Notice of Right to a Hearing provisions of the enclosed document.

Should you have any questions concerning this matter, please contact Ms. Bayard at (609) 633-0700.

Sincerely,


Wayne C. Howitz
Assistant Director
Hazardous Waste Enforcement

WCH/jgb
Enclosure(s)
cc Health Department
Mayor's Office
Bureau of Compliance and Technical Services
Regional Field Office



HM-012-91

Let's protect our earth



State of New Jersey
DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF HAZARDOUS WASTE MANAGEMENT

CN 028
Trenton, N.J. 08625-0028
(609) 633-1408
Fax # (609) 633-1454

02 OCT 1990

IN THE MATTER OF
Daniel Products Company
400 Claremont Avenue
Jersey City, NJ 07304

NOTICE OF CIVIL ADMINISTRATIVE
PENALTY ASSESSMENT

This Notice of Civil Administrative Penalty Assessment is issued pursuant to the authority vested in the Commissioner of the New Jersey Department of Environmental Protection (hereinafter "NJDEP" or the "Department") by N.J.S.A. 13:1D-1 et seq., and the Solid Waste Management Act, N.J.S.A. 13:1E-1 et seq. and duly delegated to the Assistant Director for Enforcement of the Division of Hazardous Waste Management pursuant to N.J.S.A. 13:1B-4.

FINDINGS

1. The Department has determined that Daniel Products Company (hereinafter "Daniel Products") is a generator of hazardous waste (EPA ID# NJD 001 340 686) as defined in N.J.A.C. 7:26-1.4 and is located at Block 1774, Lots 12 and 16, 400 Claremont Avenue, Jersey City, County of Hudson, State of New Jersey.
2. During an inspection conducted by Department personnel on May 23, 1990, the following violation was noted:
 - a. Daniel Products failed to prepare a manifest before offering hazardous waste for transport off-site for use or re-use, treatment, storage, or disposal, specifically, on January 31, 1990, Daniel Products offered for transportation, 170 gallons of waste oil without first preparing a manifest, in violation of N.J.A.C. 7:26-7.4(a)3.
3. Upon review of a letter submitted by Daniel Products dated May 30, 1990, the Department determined that Daniel Products had attained compliance with N.J.A.C. 7:26-7.4(a)3.
4. Based on the facts set forth in these FINDINGS, the Department has determined that Daniel Products has violated the Solid Waste Management Act, N.J.S.A. 13:1E-1 et seq. and the regulations promulgated pursuant thereto, N.J.A.C. 7:26-1 et seq., specifically N.J.A.C. 7:26-7.4(a)3.

NOTICE OF CIVIL ADMINISTRATIVE PENALTY ASSESSMENT

5. Pursuant to N.J.S.A. 13:1E-9e and N.J.A.C. 7:26-5.4(g), and based upon the above FINDINGS, the Department has determined that a civil administrative penalty should be assessed against Daniel Products in the amount of \$10,000.00.
7. Payment of the penalty is due when a final order is issued by the Commissioner subsequent to a hearing, if any, or when this Notice of Civil Administrative Penalty Assessment becomes a final order (see following paragraph). Payment shall be made by certified check payable to "Treasurer, State of New Jersey" and shall be submitted to:

New Jersey Department of Environmental Protection
Division of Financial Management Planning and General Services
Bureau of Revenue
CN 402
Trenton, NJ 08625

8. If no request for a hearing is received within twenty (20) calendar days from receipt of this Notice of Civil Administrative Penalty Assessment, it shall become a final order upon the twenty-first calendar day following its receipt and the penalty shall be due and payable.

NOTICE OF RIGHT TO A HEARING

9. Pursuant to N.J.S.A. 52:14B-1 et seq. and N.J.S.A. 13: 1E-9, Daniel Products is entitled to an administrative hearing. Any hearing request shall be delivered to the address below within twenty (20) calendar days from receipt of this Notice of Civil Administrative Penalty Assessment.

Assistant Director for Enforcement
Division of Hazardous Waste Management
401 East State Street
CN 028
Trenton, New Jersey 08625
Attention: Wayne C. Howitz, Assistant Director

10. Pursuant to N.J.A.C. 7:26-5.3 Daniel Products shall, in its request for a hearing, furnish NJDEP with the following:
 - a. The name, address, telephone number and EPA identification Number (if applicable) of the violator and its authorized representative;
 - b. The violator's defenses, to each of the Department's findings of fact in the findings section of the administrative order or notice of civil administrative penalty assessment, stated in short and plain terms;

- c. An admission or denial of each of the Department's findings of fact in the findings section of the administrative order or notice of civil administrative penalty assessment. If the violator is without knowledge or information sufficient to form a belief as to the truth of a finding, the violator shall so state and this shall have the effect of a denial. A denial shall fairly meet the substance of the findings denied. When the violator intends in good faith to deny only a part or a qualification of a finding, the violator shall specify so much of it as is true and material and deny only the remainder. The violator may not generally deny all of the findings but shall make all denials as specific denials of designated findings. For each finding which the violator denies, the violator shall allege the fact or facts as the violator believes such fact or facts be;
- d. Information supporting the request and specific reference to or copies of all written documents relied upon to support the request;
- e. An estimate of the time required for the hearing (in days and/or hours) and;
- f. A request, if necessary, for a barrier-free hearing location for disabled persons.

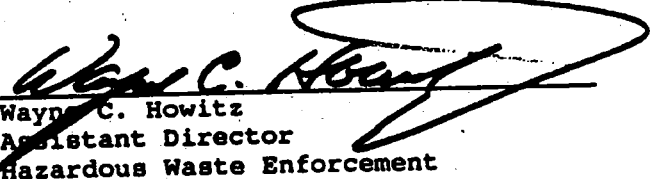
GENERAL PROVISIONS

- 11. This Notice of Civil Administrative Penalty Assessment is binding on Daniel Products, its agents, successors, assigns, any trustee in bankruptcy or other trustee, and any receiver appointed to a proceeding in law or equity.
- 12. Notice is given that violations of any statutes, rules or permits other than those herein cited may be cause for additional enforcement actions, either administrative or judicial. By issuing this Notice of Civil Administrative Penalty Assessment the Department does not waive its right to initiate additional enforcement actions.
- 13. Obligations and penalties of this Notice of Civil Administrative Penalty Assessment are imposed pursuant to the police powers of the State of New Jersey for the enforcement of the law and the protection of the public health, safety, and welfare and are not intended to constitute debt or debts which may be limited or discharged in a bankruptcy proceeding.
- 14. Notice is given that pursuant to N.J.S.A. 13:1E-9e, the Department is authorized to assess a civil administrative penalty of not more than \$50,000 for each violation, and each day during which the violation continues constitutes an additional, separate and distinct offense.

15. Notice is further given that any person who violates the provisions of N.J.S.A. 13:1E-1 et. seq. or any code, rule, or regulation promulgated pursuant thereto shall be liable to a penalty of not more than \$50,000 per day to be collected in a civil action, and any person who violates an administrative order issued pursuant to 13:1E-9c or a court order issued pursuant to N.J.S.A. 13:1E-9d, or who fails to pay a civil administrative penalty in full after it is due is subject upon order of a court to a civil administrative penalty not to exceed \$100,000 per day of such violations.
16. Except as provided above in the Notice of Right to a Hearing Section, this Notice of Civil Administrative Penalty Assessment shall be effective upon receipt.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY:


Wayne C. Howitz
Assistant Director
Hazardous Waste Enforcement

WCH/jgb

REFERENCE NO. 13

NUS CORPORATION AND SUBSIDIARIES

TELECON NOTE

CONTROL NO.:

DATE:

TIME:

9027-RP

03/10/92

0930

DISTRIBUTION:

Daniel Products Co.

BETWEEN:

Dennis Kelemen

OF:

Daniel Products Co.,
Plant Manager

PHONE:

(201) 432-0800

AND:

K. Campbell

(NUS)

DISCUSSION:

Mr. Kelemen phoned back after talking with their consultant. Their environmental consultant is Don Reviv Associates (Representative: Mike Fontana). Mr. Fontana thought it might be helpful if we knew that the facility was involved with the ECRA process in order to sell the property. The ECRA Case No. is 91-522 and the Case Manager is Bill Patterson (609) 633-7141. ECRA work began in September ¹⁹⁹¹ ~~1992~~ ¹⁹⁹², the facility just had Phase II submission.

I will contact Mr. Kelemen if we still need to set up recon date, in light of the new information.

ACTION ITEMS:

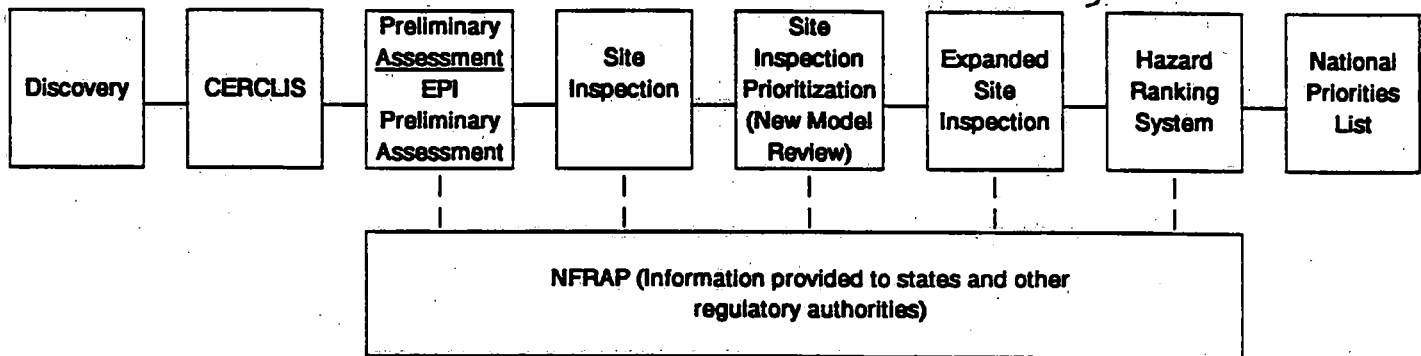
K. Campbell 03/10/92

REFERENCE NO. 14

CONTROL NO.: 9027- RP	DATE: 03/17/92	TIME: 0920
DISTRIBUTION: Daniel Products Co.		
BETWEEN: Bill Patterson	OF: NGDEPE, ECRA Case Manager	PHONE: (609) 633-7141
AND: K. Campbell		(NUS)
DISCUSSION: Re: ECRA Case No. 91522 (Daniel Products Co.) The NGDEPE issued a sampling plan approval on 01/14/92; they anticipate the results of the investigation in mid-April. Some soil samples were collected; photodocumentation also took place. Approximately 6 monitoring wells are present, including those on adjacent properties. Groundwater sampling results indicate concentrations of chloroform present; yet chloroform was also detected in upgradient well. Three of several of the facility's USTs have already been decommissioned. The facility ultimately wants to remove all the USTs and replace them with vaulted tanks. The facility has received a directive from the Passaic Valley Sewerage Commission to "manifold" their discharges (e.g. 1 unit instead of 3 or 4). This will facilitate monitoring of discharges & must be completed by September 1992. The facility has a significant trenching system. IF no breaches of integrity of the piping system can be found and no contamination attributable to the site is found, it is likely that a negative declaration will be issued. Mr. Patterson requested that we send a letter to them for their files saying that we prepared an EPI-PA for the site, for completeness of their site file.		
ACTION ITEMS: K. Campbell 03/17/92		

ATTACHMENT 2

SUPERFUND SITE ASSESSMENT PROGRAM



SITE ASSESSMENT REPORTS

1. PRELIMINARY ASSESSMENT

- * Quick Review of Readily Accessible Records and Reports
- * Undertaken to Determine the Existence of a Problem and the Need for Further Action at a Site by Characterizing:
 - Magnitude of the Hazard
 - Source and Nature of the Release or Potential Release
 - Identification of Targets
- * Does Not Include Sample Collection

2. SITE INSPECTION

- * The Purpose of the Site Inspection is to:
 - Further Define and Characterize the Problem
 - Provide Data for the Hazard Ranking System (HRS) Scoring and Compute Initial Score
 - Identification of Targets
 - Determine the Necessity of Further Action
- * The Site Inspection Involves an On-Site Visit and Sampling (10+/- Samples)
- * A Site Inspection is not an Extent of Contamination Study

3. SITE INSPECTION PRIORITIZATION

- * Quick Review of Readily Accessible Records and Reports
- * Undertaken to Determine the Validity and Update Background Conditions Under the New HRS Model, and the Need for Further Action at a Site by Characterizing:
 - Magnitude of the Hazard
 - Source and Nature of the Release or Potential Release
- * Included On-Site Visits or Sample Collection as needed
 - Analyze Samples/Limited Analytical Resources
 - Account for Significant Safety Hazards On-Site

4. EXPANDED SITE INSPECTION

A Follow-Up Inspection May Be Recommended After the SI To:

- * Gather Additional Data Necessary to Strengthen or Substantiate the Initial HRS Score
 - Geophysical Surveys
 - Installation of Groundwater Monitoring Wells
 - Additional Sampling

Review of Analytical Data

If previous analytical data are available, they should be reviewed for information which supports the design of the sampling and analysis program, tests site hypotheses, and documents the site score. The SI investigator should review all previous analytical data. While analytical data collected for other purposes may not meet SI objectives, site-specific analytical data are generally helpful in better understanding the nature of the problem at the site, regardless of data sources or data quality. The depth of the review depends on the overall quality and quantity of data, the intended use of the data, and whether they are representative of current site conditions and comparable to SI data. Determining whether available data can be applied as SI-generated data requires the professional judgement of an experienced reviewer. Both validated and non-validated analytical data may be available. Previous SI data will be validated and of CLP-quality. Non-validated data may contain false positives and false negatives, as well as quantitation, transcription, and calculation errors. If data of unknown or questionable quality are used for decision-making, the investigator should review all available information to assess the level of certainty associated with the data. If these data are used for HRS documentation, data validation will be necessary. The investigator should be able to determine the general quality of the data set by reviewing QC data for evaluation under the Superfund Program.